

05/09/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-12257

NAME AND ADDRESS: BRIAN ABELY
104 ELIZABETH LANE
MIDDLETOWN CT 06457

CHARLEEN ABELY
104 ELIZABETH LANE
MIDDLETOWN CT 06457

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/15/1897

POINT OF
DIVERSION: T06N R45E S33 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.520 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S06	SWNE	3.00	T05N R45E S06	SENE	23.00
26 ACRES TOTAL					

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Bell McCracken Ditch.

This right is a split from former right 22-388.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-12257

Point(s) of Diversion:

T06N R45E

Sec 33 SWSE

Place of Use: (parts of)

T05N R45E

Sec 6 SWNE, SENE

SCANNED
APR 20 2005
PROVIDED

LEGEND



Point of Diversion

SESE

Place of Use



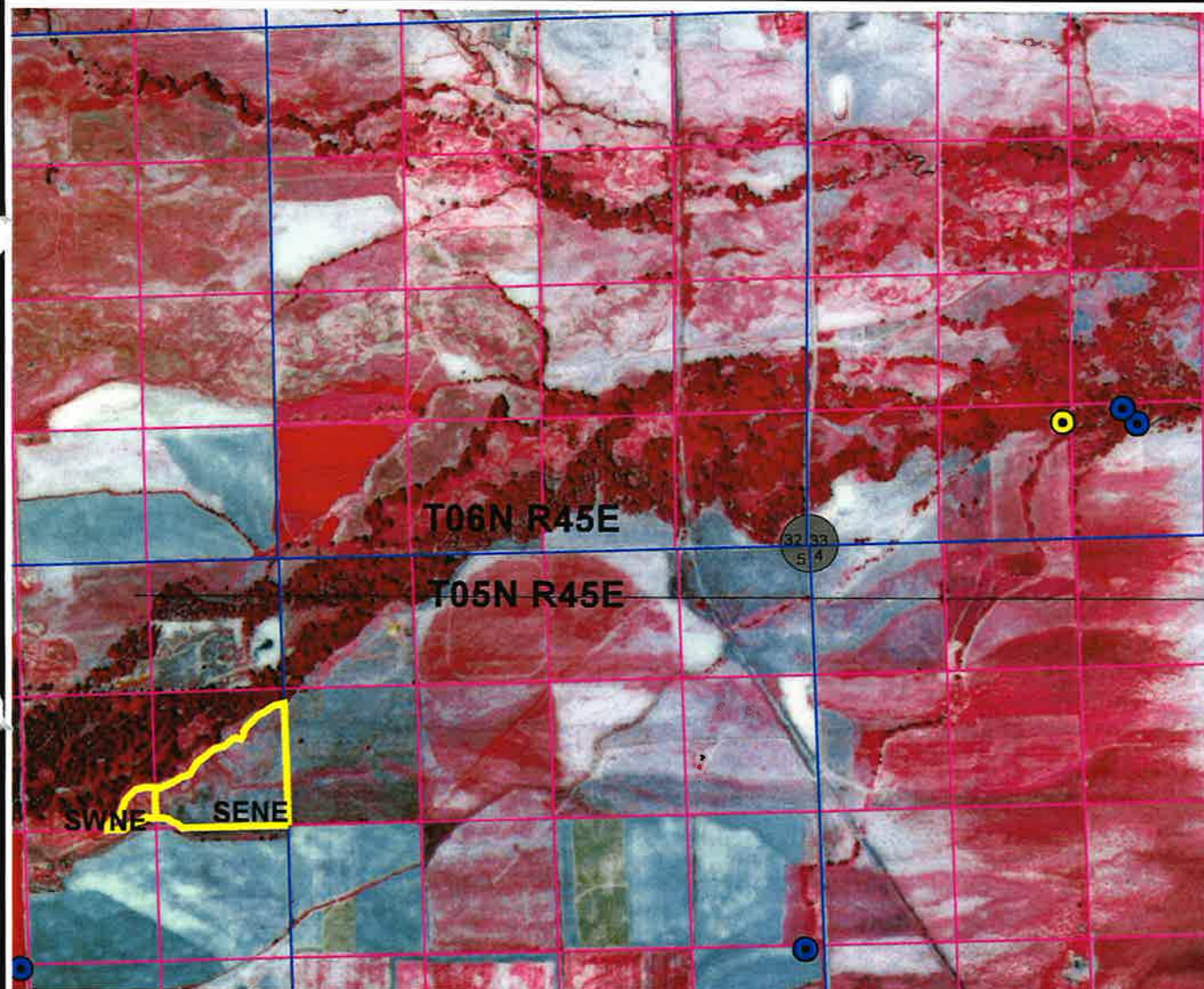
Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: February 2005



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 Feet



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

EASTERN REGION

May 25, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

CHARLEEN & BRIAN ABELY
104 ELIZABETH LN
MIDDLETOWN CT 06457

RE: Notice of Change of Water Right Ownership (NCO) for 22-12257 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Abely:

On January 26, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

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

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

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

cc: Levin & Richard Kinsey

SCANNED
JUN 01 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 SRBA)

Water Rights: 22-12257

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party

☐ 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: May 18, 2007

Ernest Carlson

Signature of IDWR Representative

SCANNED

JUN 01 2007

CERTIFICATE OF MAILING

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

1. Original to:

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

2. One copy to:

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

LEVIN & RICHARD KINSEY
401 EDWARDS ST STE 1805
SHREVEPORT LA 71101

3. One copy to:

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

CHARLEEN & BRIAN ABELY
104 ELIZABETH LANE
MIDDLETOWN CT 06457

4. One copy to:

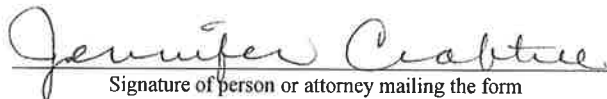
Each party in the subcase, or attorney of record

5. One copy each to:

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

6. One Copy to:

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


Signature of person or attorney mailing the form

SCANNED

JUN 01 2007

RECEIVED

JAN 26 2007

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

Department of Water Resources
 Eastern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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)
~~22-12257~~	22-12257				

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)

Levin : Richard ~~Levin~~ Kinsey
 401 Edwards St. Ste 1805

4. New Owner/Claimant(s)

Shreveport LA 7101

New Mailing Address

Name Connector (Check one): [] and, [] or, [] and/or
 Charleen : Brian Abely
 104 Elizabeth Lane
 Middle town CT 06457

City, State and ZIP Code

New Telephone Number

(860) 347 4061

SCANNED

JUN 01 2007

Jan. 3, 2005

5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

7. Signature(s) of New Owner(s) or Claimant(s)



(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED
 JUN 01 2007

WARRANTY DEED

RECEIVED

JAN - 3 2005

TETON CO. CLERK & RECORDER

For Value Received **Richard N. Kinsey and Levin S. Kinsey, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Charleen B. Abely, a married woman as her sole and separate property

whose address is: **104 Elizabeth Lane, Middleton, CT 06457**

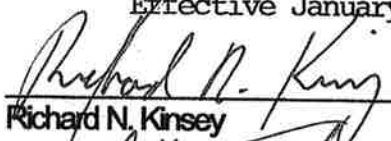
Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

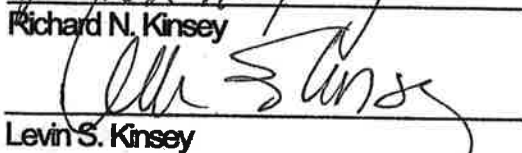
**Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho
Section 6: S1/2NE1/4**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

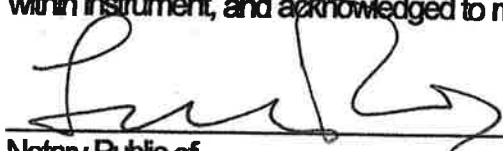
SEE ALSO ADDENDUM TO WARRANTY DEED APPROVED BY GRANTEE ATTACHED HERETO AND MADE A
Dated: PART HEREOF.
Effective January 1, 2005


Richard N. Kinsey


Levin S. Kinsey

STATE OF LOUISIANA
PARISH
COUNTY OF CADDO ss.

On this 20th day of December, 2004, before me, a Notary public, personally appeared Richard N. Kinsey and Levin S. Kinsey, known or identified to me (or proved to me on the oath of), to be the persons whose names is subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public of
Residing at
Commission Expires:

Lawrence Russo, III
Notary Public

Instrument # 165515

DRIGGS, TETON, IDAHO
2005-01-03 09:46:36 No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 6.00

SCANNED

JUN 01 2007

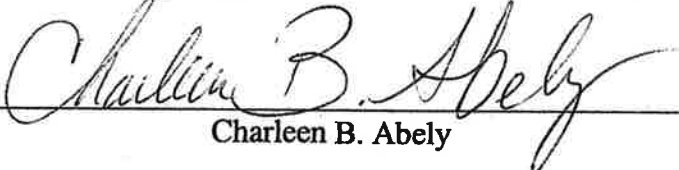
ADDENDUM TO WARRANTY DEED

Notwithstanding anything to the contrary contained in the foregoing Warranty Deed, the following additional provisions shall govern the sale from Grantor to Grantee, and in the event of a conflict between the terms of this Addendum and the terms of the Warranty Deed, the terms of this Addendum shall prevail, to-wit:

1. The sale of the subject property is being made by Grantor and accepted by Grantee subject to any and all servitudes, rights-of-ways, mineral reservations, mineral servitudes, mineral leases, restrictive covenants and any similar encumbrances established by law or of record in the official property records applicable to the subject property, and Grantor's warranty of title is limited to claims arising by, through or under Grantor, but not otherwise. Furthermore, it is agreed that the subject property is conveyed and all improvements and components parts, all plumbing, electrical systems, mechanical equipment, heating and ventilation systems and all other property located thereon is conveyed by Grantor and accepted by Grantee "AS IS, WHERE IS," without any warranty of any kind whatsoever, even as to the metes and bounds, zoning, operation or suitability of such property for the use intended by Grantee, and without regard to the presence of apparent or hidden defects and with Grantee's full and complete waiver of any and all rights for the return of all or any part of the purchase price by the reason of any such defects. Grantee acknowledges and declares that neither Grantor nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of Grantor, has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which Grantee has relied, concerning the existence or non-existence of any quality, characteristic or condition of the subject property. Grantee has had full, complete and unlimited access to the subject property for all tests and inspections that Grantee, in her sole discretion, deems sufficiently diligent for the protection of her interests. Grantee expressly waives any warranty of fitness and any warranty against defects, whether apparent or latent, imposed by any applicable state or federal law, and the regulations or jurisprudence thereunder. Grantee expressly waives any claim or right of indemnity against Grantor regarding the existence of any toxic substance or materials or hazardous substance or materials including, without limitation, asbestos, PCBs, petroleum products or by-products. Grantee acknowledges that Grantor has satisfied all of his obligations regarding the existence of the underground storage tank ("UST") located in the subject property. Grantee has assumed full responsibility for the continued existence of the UST on the subject property, and hereby relieves Grantor of any and all claims of any nature whatsoever regarding the UST.

2. Grantee understands and agrees that the subject property is encumbered with a conservation easement in favor of the Teton Regional Land Trust, Inc. Grantee has reviewed the terms of the conservation easement and fully understands all covenants, encumbrances and obligations contained in the conservation easement. Grantee hereby assumes all such covenants, encumbrances and obligations relating to the conservation easement.

Grantee hereby acknowledges approval of the terms of the foregoing Addendum:


Charleen B. Abely

105510

SCANNED
JUN 01 2007

For Value Received **Charleen B. Abely and Brian J. Abely, wife and husband** *Warranty Deed 165516*

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Charleen B. Abely, a married woman as her sole and separate property

whose address is: **104 Elizabeth Lane, Middleton, CT 06457**

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

IT IS THE INTENT OF GRANTOR TO CONVEY HIS COMMUNITY INTEREST ONLY.

**Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho
Section 6: S1/2NE1/4**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: DEC. 22, 2004

Charleen B. Abely
Charleen B. Abely

Brian J. Abely
Brian J. Abely

STATE OF CONNECTICUT

COUNTY OF NEW HAVEN)ss. MERIDEN

On this 22 day of December, 2004, before me, a COMMISSIONER OF THE SUPERIOR COURT ~~Notary public~~, personally appeared Charleen B. Abely and Brian J. Abely, known or identified to me (or proved to me on the oath of), to be the persons whose names is subscribed to the within instrument, and acknowledged to me that they executed the same.

Edward N. [Signature]
Notary Public of COMMISSIONER OF THE SUPERIOR COURT
Residing at: STATE OF CT
Commission Expires:

SCANNED

JUN 01 2007

Edward N. Boyle

Notary Public of COMMISSIONER OF THE SUPERIOR COURT
Residing at: STATE OF CT
Commission Expires:

Instrument # 165516

DRIGGS, TETON, IDAHO

2005-01-03 09:49:09 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE

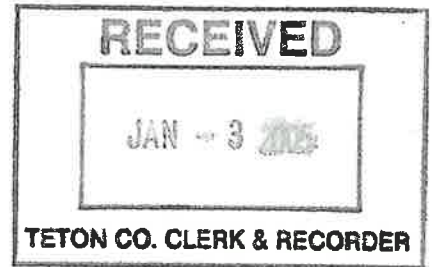
NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy RBg

Index to: DEED, WARRANTY

165516



SCANNED
JUN 01 2007

Contacts Data Entry Form

Claim Number: 22-12257

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

Current Owner:	<u>RICHARD KINSEY</u>				
----------------	-----------------------	--	--	--	--

Current Owner:					
----------------	--	--	--	--	--

Current Owner:					
----------------	--	--	--	--	--

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.CLAIMED AS A PORTION OF 22-389 388

c/o R1000 11/00

3.12 CFS 160 AC

388

sec 5	SUNW SENE
6	SUNW SENE

6/29/04 FBI VISITOO POW, POD

CONVEYANCE THROUGH BOU-McCARTHER DIRCH

Rismark

FBI POD/POW, CONVEYANCE

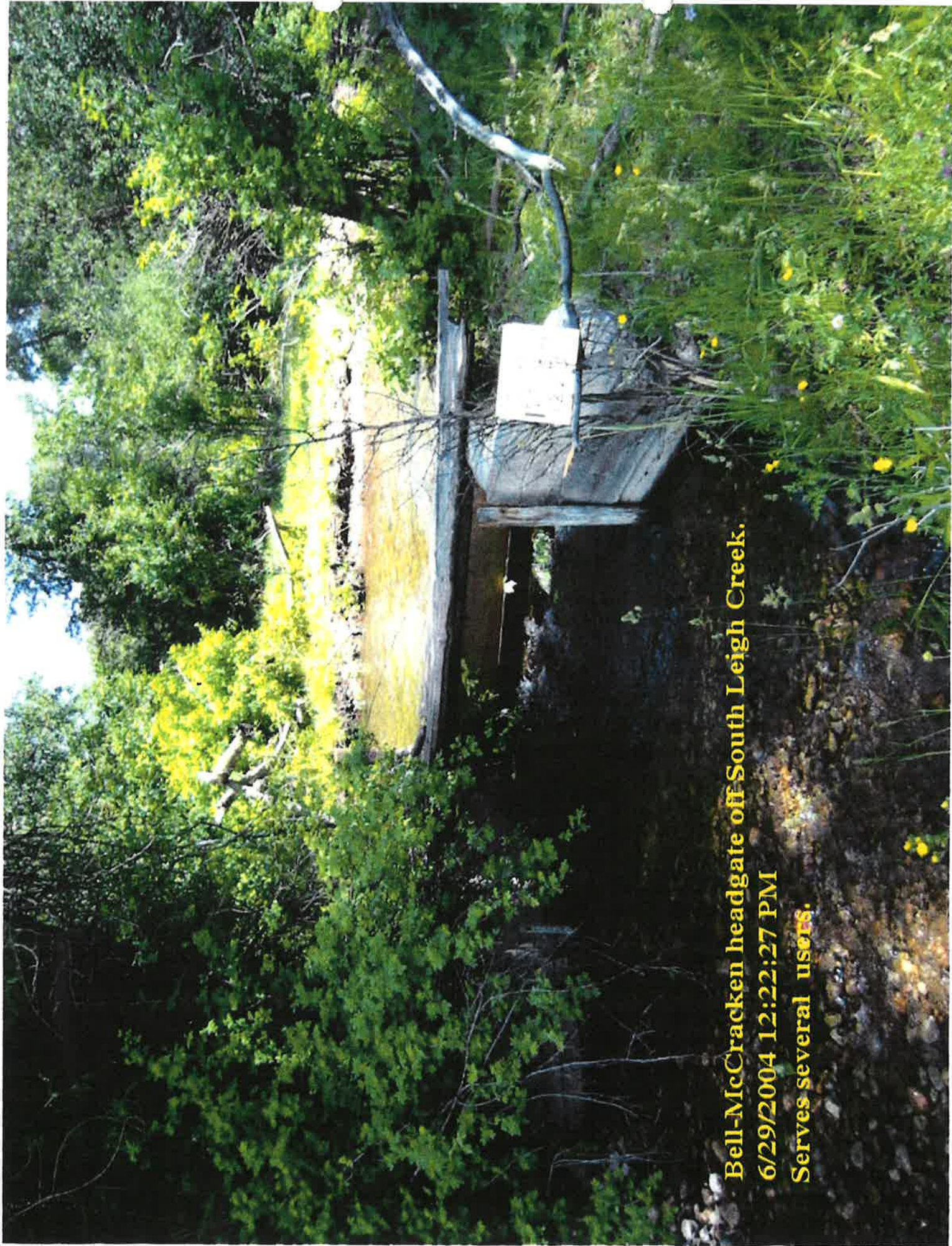
Reviewer: _____ Date: _____

PROFILE

SCANNED

APR 20 2005

SCANNED
JUN 28 2005



Bell-McCracken headgate off South Leigh Creek.

6/29/2004 12:22:27 PM

Serves several users.

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

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

Source: _____ Tributary to: _____

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

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
106N	45E	33		SWSE	Teton	S. Leigh Creek	Teton River

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
106N	45E	33		SW SE	Teton	S. Leigh Creek	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

GPS TAG # A0013845

Document how the POD and Source were verified:

DELIVERY THROUGH THE BOUL MCCracken DITCH

Reviewer: _____ Date: _____

SCANNED

APR 20 2005

PROFILED

Claim Number: _____

[illegible]

Total acres 26

[illegible]

Total acres 25.7

Pending or approved Transfers: _____

Overlapping rights: _____

Claimed was 26 acres, GIS shows 25.7 acres.

Reviewer: _____ Date: _____

te: **PROFILED** **SCANNED**
APR 20 2005

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water 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
Irrigation	4/15	10/15	.52	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate .52 Overall Diversion Volume _____Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15	.52	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate .52 Overall Diversion Volume _____Document how the Period of Use and/or Diversion Rate were verified:

.52 = 0.02 cfs = 1 inch/ac.
26 acs

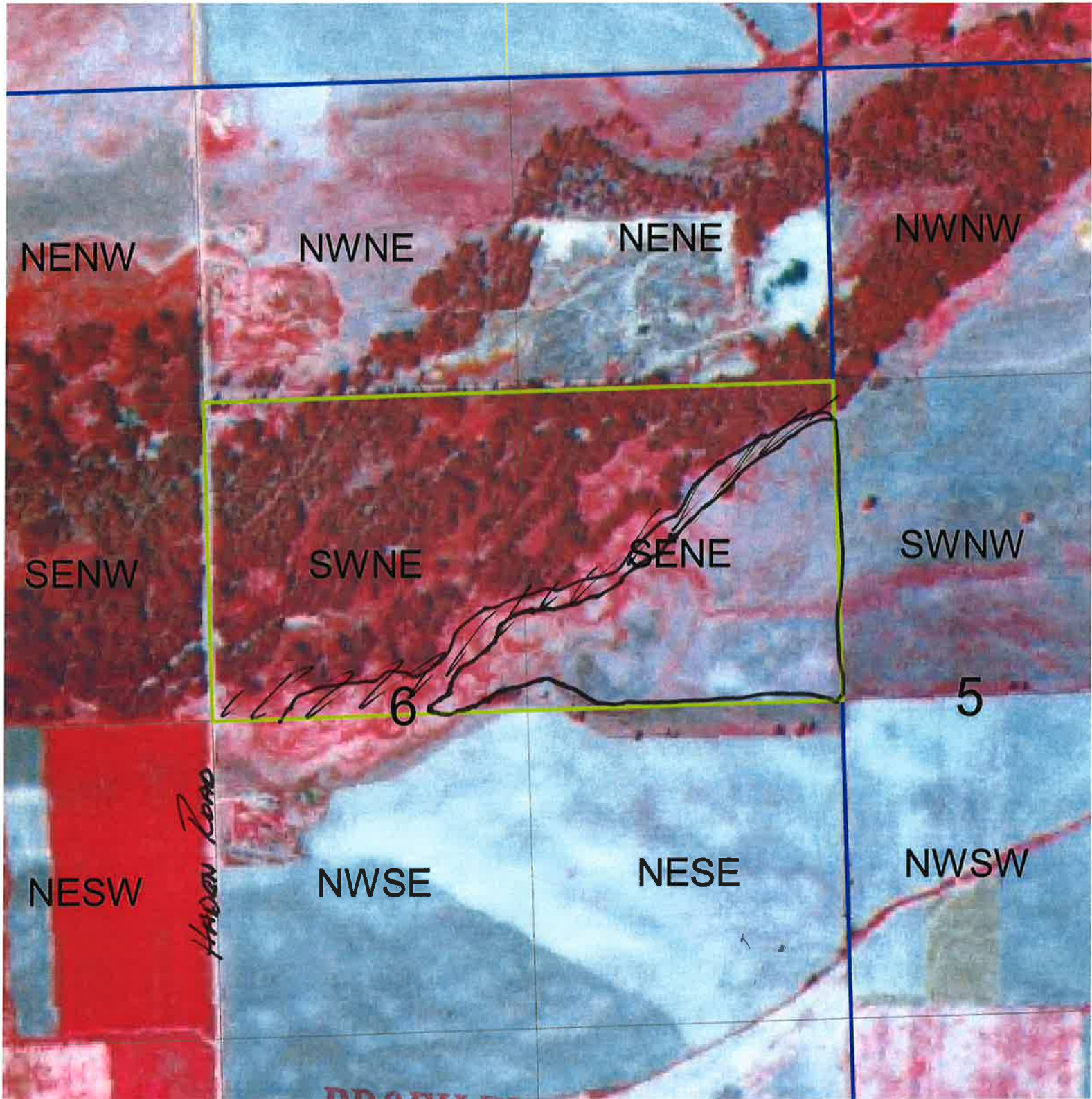
Reviewer: _____

Date: _____

SCANNED
 PROFILED
 APR 20 2005

22-12257

6/29/04 ASR



PROFILE

SCANNED
APR 20 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 21, 2000

RICHARD N & LEVIN S KINSEY
401 EDWARDS ST STE 1805
SHREVEPORT LA 71101

RE: CHANGE IN OWNERSHIP FOR A22-12257

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, 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 this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

SCANNED
APR 20 2005

PROFILED

RECEIVED

NOV 14 2000

Department of Water Resources
Eastern Region

IDWR EASTERN

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER, RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.OK JC
12/2/00

Water Right Number(s) _____

Adjudication Claim number(s) A22-12257 Irrigation

The following REQUIRED information must be submitted with this form.

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 claims in question, WITH AN ATTACHED LEGAL DESCRIPTION.

AND

PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

For water rights and adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly) ASCS) Aerial Photo with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and address of former Owner/Claimant. WILLAIM E. CROWELL4. New Owner/Claimant. RICHARD N. KINSEY AND LEVIN S. KINSEY, HUSBAND AND WIFENew mailing Address 401 Edwards St. Suite 1805, Shreveport, LA 71101
Address City State Zip CodeNew Telephone Number (318) 222-71735. Date you acquired the property September 29, 2000

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 26 Number and type of stock 4 HorsesDiversion rate in CFS 0.520 Number of Homes 1 Other Uses _____
cubic ft. per second

If water right or adjudication claim is being split and you are not sure how to identify your portion of the original water right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimants Richard N. Kinsey Date NOV. 7 2000Levin S. Kinsey Date NOV. 7, 2000

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

PROFILED

SCANNED

APR 20 2005

T-8131

SEP 29 2000

139605

RECORDED
ORDER

WARRANTY DEED

For Value Received WILLIAM E. CROWELL and SANDRA LEE BOGACKA-CROWELL, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RICHARD N. KINSEY and LEVIN S. KINSEY, husband and wife
whose address is: 401 EDWARDS STREET, SUITE 1805, SHREVEPORT, LA, 71101

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho
Section 6: S1/2NE1/4

TOGETHER WITH all appurtenant water rights

Subject to reservations 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 Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated

William E. Crowell
WILLIAM E. CROWELL

Sandra Lee Bogacka-Crowell
SANDRA LEE BOGACKA-CROWELL

STATE OF *New Mexico*
COUNTY OF *Grant*)

On this *28th* day of September in the year 2000, before me, a Notary Public in and for said State, personally appeared WILLIAM E. CROWELL and SANDRA LEE BOGACKA-CROWELL, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

Joan Etheredge
Notary Public of *New Mexico*
Residing at *Mimbres NM*
Commission Expires *Nov 17, 2003*



DRIGGS TETON, IDAHO
Recorded for : FIRST AMERICAN

2000-09-29 12:56:26
Instrument # 139605 No. of Pages: 1
NOLAN G. BOYLE Fee: 3.00

Ex-Officio Recorder
Deputy: ELAINE Signature *E. Smith*

PROFILED

SCANNED

APR 20 2005

139605

AJ5809NP
No. A22-12257

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM E CROWELL RT 1 BOX 1095 TETONIA ID 83452 (208) 456-2880	06/15/1897	IRRIGATION	04-15 10-15	0.520 CFS	
TOTAL DIVERSION:					0.520 CFS	

Water Source: SOUTH LEIGH CREEK

Tributary to: TETON RIVER

Stage: DECREED

Point(s) of Diversion: T06N R45E S33 SWSE

TETON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
05N	45E	6	:				05		21	:														
TOTAL ACRES																							26.0	

POU County: TETON

Other Rights: NONE

Remarks: GEN THIS IS A PORTION OF WR#22-00389.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

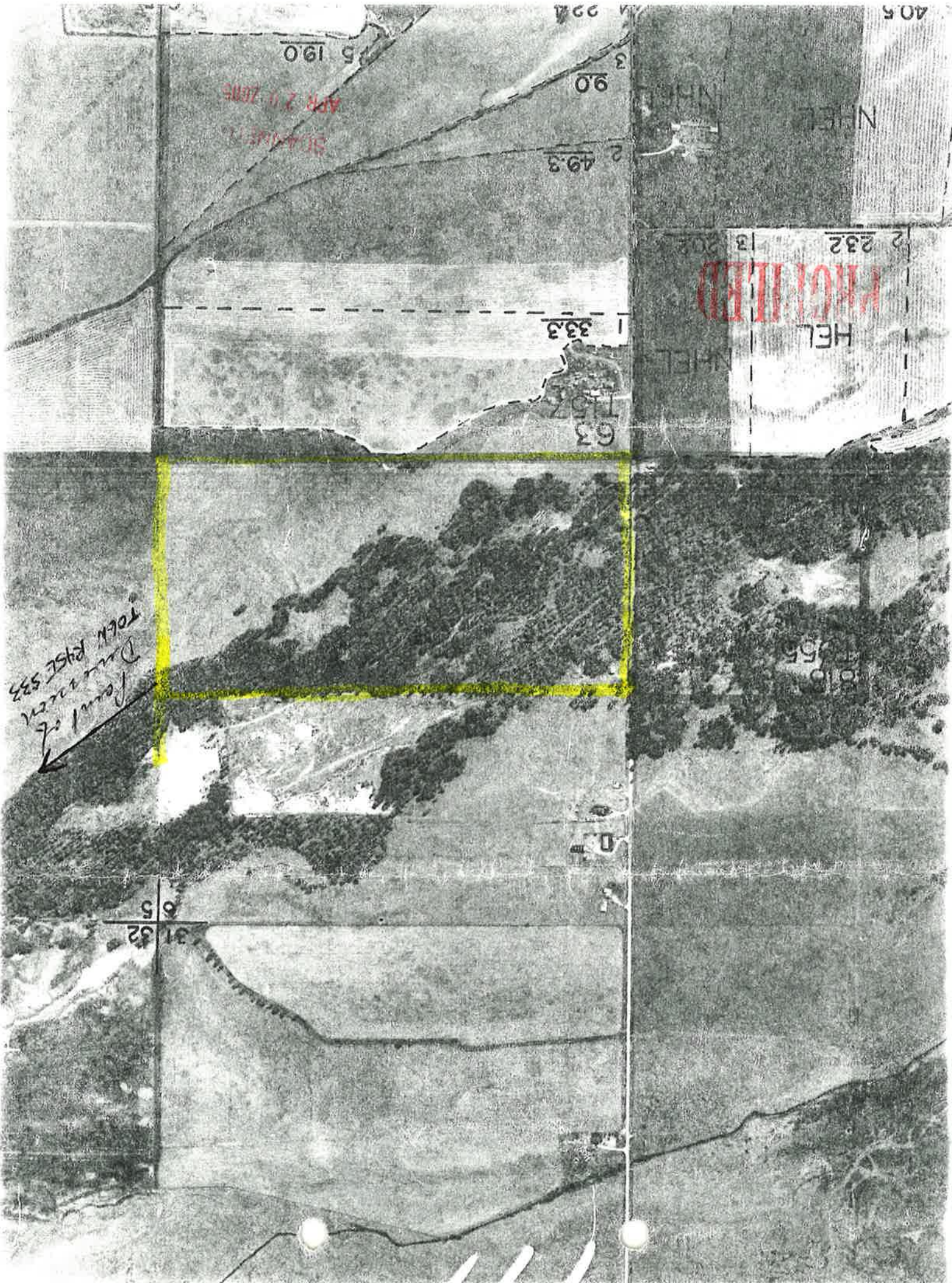
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 10/24/88 MEYER 03/29/95 POST-STD

Post-it™ Fax Note 7671		Date 7-3-00	# of pages 1
To Tom Knight	From Craig Saxton		
Co./Dept.	Co. IDWR		
Phone #	Phone #		
Fax #	Fax #		

525-7161

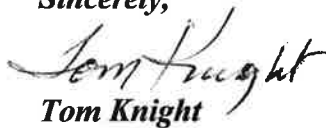


NOV 14 2000Department of Water Resources
Eastern Region

THE REAL ESTATE CO.

P.O. BOX 174
47 S. MAIN
DRIGGS, ID 83422
BUS. (208) 354-2337
BUS. (800) 758-1969
FAX (208) 354-8580*October 31, 2000**Dept. of Water Resources
900 North Skyline Dr.
Idaho Falls, ID 83402**To Whom It may Concern,**Enclosed find:*

- 1. Notice of change of water right form.*
- 2. Warranty Deed transferring the property.*
- 3. Copies of Adjudication Claim Profile Report.*
- 4. An aerial showing property in yellow highlight.*
- 5. Also shown on aerial, an arrow pointing to the point of diversion.*

*This paperwork transfers water rights from William E. Crowell, to Richard N. and Levin S. Kinsey, husband and wife.**If additional paperwork or information is needed, do not hesitate to call me.**Sincerely,*
Tom Knight**PROFILE****SCANNED****APR 20 2005**

30 September 88

Paul Meyer,

Thank You for your
assistance.

Please furnish me a
smooth copy of this claim.

Tell your friend that
S-3's are fun and that they
will be in the fleet for a
long time yet.

With My Appreciation,
William Brown

MICROFILMED

NOV 06 1992

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 22-12257
Date Received: 10/20/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

LEVIN S KINSEY Phone: (318) 222-7173

401 EDWARDS ST STE 1805
SHREVEPORT LA USA 71101

RICHARD N KINSEY Phone: (318) 222-7173

401 EDWARDS ST STE 1805
SHREVEPORT LA USA 71101

2. Date of Priority: 06/15/1897

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06N	45E	33	SW SE	TETON

5. Description of diverting works:

HEADGATE WITH TWO DITCHES (FLOOD IRR.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.52	

7. Total Quantity Appropriated is:
0.52 C.F.S.

8. Total consumptive use:

SCANNED
JUN 28 2005

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	45E	6	SW	NE	IRRIGATION	5
			SE	NE	IRRIGATION	21
					Section Acres	26
					Total Acres	26

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:

14. Remarks:

THIS IS A PORTION OF WR#22-00389

CHANGED OWNERSHIP PER REQUEST/CV/12/21/00

15. Basis of Claim: Decreed

PROFILED

SCANNED
JUN 28 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-12257 ✓
Date Received: 10/05/1988
Receipt No: E003381
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM E. CROWELL 208-456-2880
Address: RT 1, BOX 1095
TETONIA, ID 83452

2. Date of Priority: JUN 15, 1897

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	33	SW	SE			TETON

5. Description of diverting works:
HEADGATE WITH TWO DITCHES (FLOOD IRR.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.520		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	6	SW	NE		IRR	5.0
			SE	NE		IRR	21.0

Section Acres 26.0

A22-12257

Page

1

Date: 10/24/88

SCANNED
APR 20 2005

PROFILE

MICROFILMED
NOV 06 1992

A2212257



10. Place of Use: Continued

Total Acres 26.0

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 IS A PORTION OF WR#22-00389.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO.
Decree Defendant

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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 A23-12257Date Received 10-5-88Receipt Number E003381

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 5 1988

Department of Water Resources

Eastern District Office

Please type or print clearly

1. Name of Claimant (s) William E. Crowell Phone (208) 456-2880
Mailing Address Route 1 Box 1095, Teton, Idaho Zip 83452

2. Date of Priority (Only one (1) per claim) 15 JUNE 1897

3. Source of water supply (a) ~~Belt-McCracken Canal~~ S. LEIGH CREEK
which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 06N Range 45E Section 33,
1/4 of SW 1/4 of SE 1/4, Govt. Lot, B.M., County of Teton

Additional points of diversion if any: _____

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. 1 Headgate and 2 ditches

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 15Apr to 15Oct amount .52 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .52 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .52.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	
5	45E	6			5	21													26

Total number of acres irrigated 26

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 ☒ 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.
Domestic Well or None ()

14. Remarks:

THIS IS A PORTION OF WD# 22-00389

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APR 20 2005

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NOV 06 1992

Last Name Crowell Ident No. _____

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Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date 12/16/1910

Plaintiff vs Defendant DEVRUG IRR. Co ETAL VS TETON IRR. Co.

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 1

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

Signature of Claimant (s) William E. Crowell Date 30 September 1988

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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30 day of Sept 19 88

Notary Public [Signature]

Residing at Idaho Falls

My Commission Expires 9-12-94

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 _____

PROFILED

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

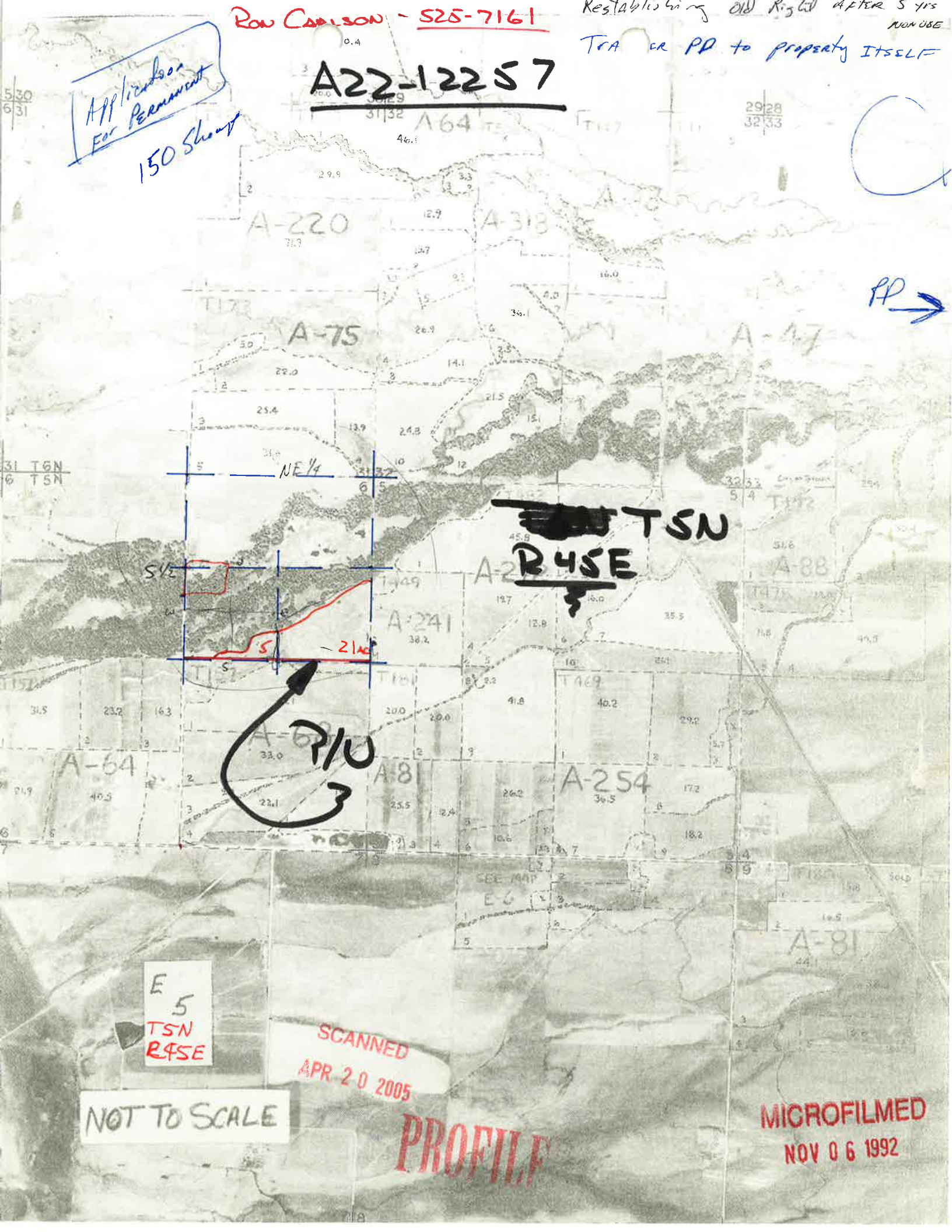
Row Carlson - 525-7161

Reestablishing old R-5 E AFTER 5 yrs
NON USE

TRA or PD to property ITSELF

Application
For Permanent
150 Sheet

A22-12257



10/19/1988

CLAIMANT'S NAME Crowell CLAIM IDENT. NO. _____DATE RECEIVED 10-5-88 CK # 903 AMOUNT \$ 75

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) N/A _____ | ☒ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? N/A _____ | ☒ | ☐ |
| Is the consumptive use correct? N/A _____ | ☒ | ☐ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. | <u>NA</u> | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A _____ | ☒ | ☐ |
| 15. Is the basis of the claim checked? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? N/A _____ | ☐ | ☒ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

APR 20 2005

Claim checked by: CS

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Comments: A portion of 22-00389

NOV 06 1992