

01/16/2007

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

RIGHT NUMBER: 22-12347  
NAME AND ADDRESS: MEREDITH HARE  
PO BOX 420  
MORAN WY 83013  
  
DEBRA PATLA  
PO BOX 420  
MORAN WY 83013

SOURCE: MOOSE CREEK TRIBUTARY: TRAIL CREEK

QUANTITY: 1.040 CFS

PRIORITY DATE: 01/22/1916

POINT OF  
DIVERSION: T03N R46E S29 NWNENW 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          | 1.040 CFS       |
| PLACE OF USE: | <u>IRRIGATION in TETON County</u> |                      |                 |
|               | T03N R46E S19 NESE 8.00           | T03N R46E S19 NWSE   | 9.30            |
|               | T03N R46E S19 SWSE 8.30           | T03N R46E S19 SESE   | 14.00           |
|               | 39.6 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

This right is a split from former right 22-127.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



# Idaho Department of Water Resources

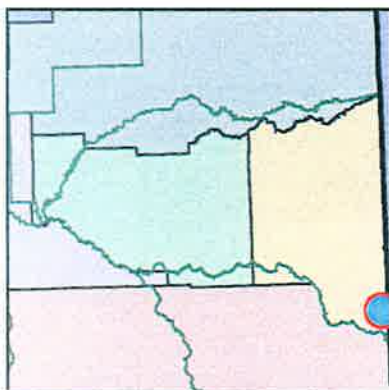
SRBA Recommendation:

**22-12347**

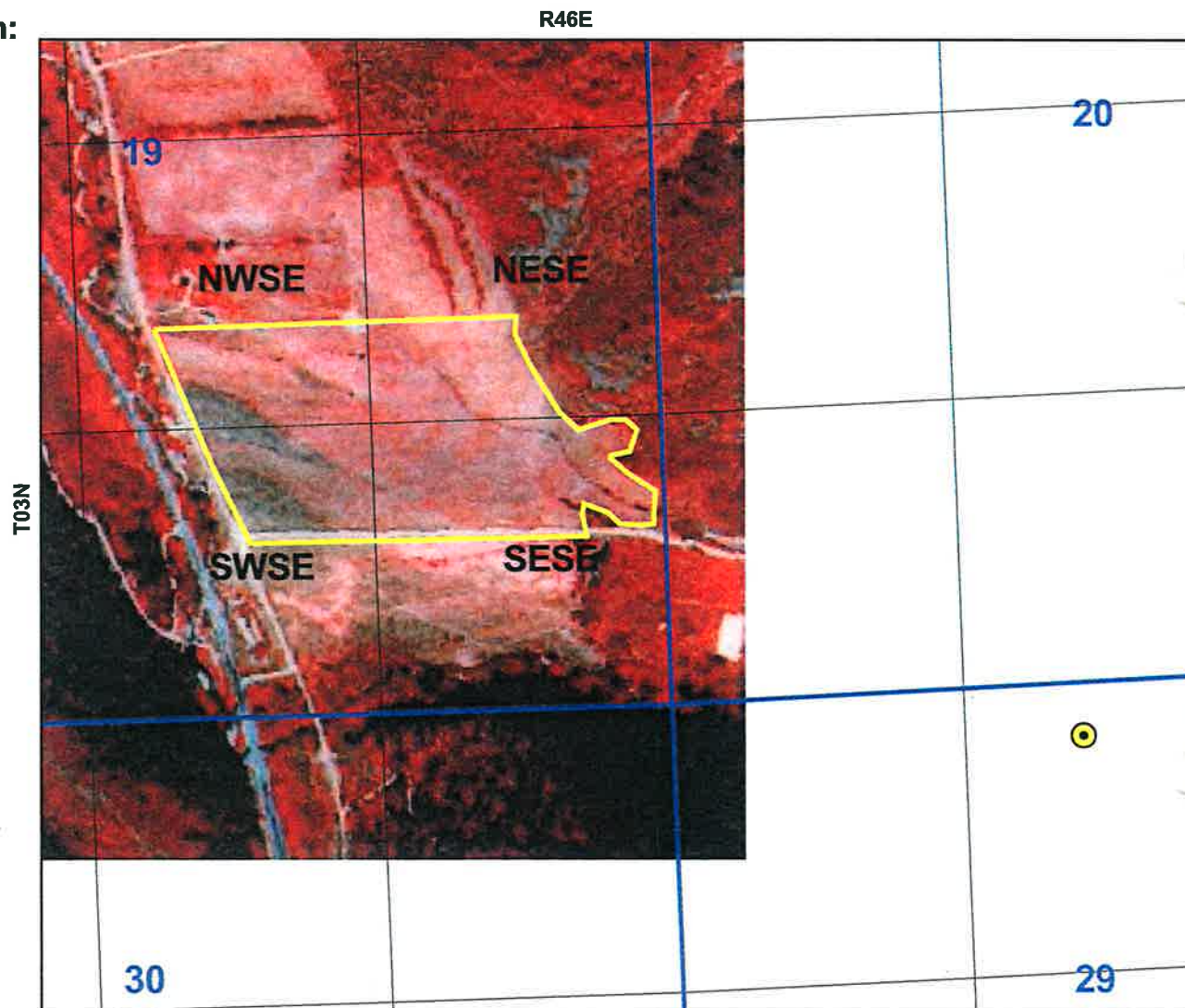
(Irrigation)

## Legend

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



Teton County  
IDWR Basin 22



0

0.3

0.6 Miles

Prepared by K. Moore  
On Thursday, November 16, 2006  
1987/88 Aerial Photography



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](http://www.idwr.idaho.gov)

EASTERN REGION

C. L. "BUTCH" OTTER  
Governor

KARL J. DREHER  
Director

January 19, 2007

MEREDITH HARE  
DEBRA PATLA  
PO BOX 420  
MORAN WY 83013

RE: Notice of Change of Address for 22-127A, 22-12347 and Notice of Completed Administrative Proceeding (NCAP)

Dear Ms. Hare & Ms. Patla:

On December 28, 2006, the Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, 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

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: 22-127A, 22-12347

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change MEREDITH HARE & DEBRA PATLA

☐ 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: January 18, 2007

Ernest Carlson

Signature of IDWR Representative

### CERTIFICATE OF MAILING

I certify that on Jan 19, 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:  
MEREDITH HARE  
DEBRA PATLA  
PO BOX 420  
MORAN WY 83013

3. One copy to:

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

4. One copy to:

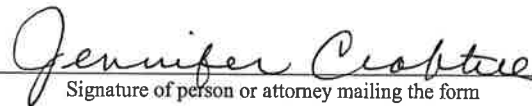
Each party in the subcase, or attorney of record  
N/A

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

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE  
FORM 3547

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE  
FORM 3547

DEPARTMENT OF WATER RESOURCES  
EASTERN DISTRICT OFFICE  
900 N. SKYLINE DR.  
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE  
REQUESTED

PATL230 834552002 1B06 03 01/08/07  
FORM 3547  
PATLA, DEBRA A  
PO BOX 230  
MORAN WY 83013-0420

DEBRA PATLA  
PO BOX 230  
VICTOR ID 83455

1651  
8942 \$00.630 JAN 05 2007  
8458 MAILED FROM ZIP CODE 83400  
PITNEY BOWE  
U.S. POSTAGE

RECEIVED

JAN 16 2007

Department of Water Resources  
Eastern Region

NOTICE OF ERROR  
REPLY

RECEIVED

11/22/2006

DEC 28 2006

RECEIVED

DEC 22 2006

Department of Water Resources  
Eastern Region

DEPARTMENT OF  
WATER RESOURCES

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

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: 22-12347

MEREDITH HARE

PO BOX 230

VICTOR ID 83455

Telephone Number: (208) 787-2962

DEBRA PATLA

PO BOX 230

VICTOR ID 83455

Telephone Number: (208) 787-2962

mailing Address change for both

PO Box 420

Memph, WY 83013

tel 307-543-0975

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:

12/18/06

SIGNATURE:

Meredith Hare

Debra Patla

Please print your name:

MEREDITH HARE

Debra Patla

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

DC

SCANNED

DEC 22 2006

1994 Orthophoto

19

20

Claimed POD  
Somewhere,  
but no Crk at  
that location.

Moose Crk

Downed POD

- Claimant owns 52/187 ac of 22127
- Rec. 0.02 cfs/ac and cleared POD,  
w/ CO3 because of wrong QQ.

with point of diversion and for the irrigation of the lands described in paragraph XIX of the Findings of Fact.

22 0127 13. That the plaintiff, Myrtle Cluff, Byron D. Driggs and Pearl Cardon be awarded 3.74 cubic feet per second or 187 miners inches, with a priority date of January 22, 1916, of the waters of Moose Creek, a tributary of Trail Creek, with point of diversion and for the irrigation of the lands described in paragraph XX of the Findings of Fact.

22 0128 14. That the plaintiff, J. M. Ingram be awarded the use of .8 cubic foot or 40 miners inches of the waters of Ingram Creek, a tributary of Trail Creek, with a date of priority of January 22, 1916, with point of diversion and for the irrigation of the lands set out in paragraph XXI of the Findings of Fact.

IT IS FURTHER ORDERED, That the rights awarded and decreed in that certain decree commonly known as the "Rexburg or Snake River Decree," made and entered in this Court December 16, 1910, both as to dates of priority and the amounts of the rights awarded, are binding upon the plaintiffs, and each of them, in this action.

Done in open court this 24th day of January, 1938.

J. C. Taylor

District Judge

Filed for record Jan. 26, 1938  
at 10:17 A.M.

L. Kingsford, Recorder  
By E. Thompson, Deputy

*From #1608*  
and for the irrigation of said lands has diverted and conveyed through Tonks Canal, with point of diversion as set out in paragraph XIII hereof, on or before and ever since the 22d day of January, 1916, 3.2 cubic feet per second or 160 miners inches of the waters of Trail Creek each irrigation season since said date and applied said quantity of water or stream flow to the irrigation of said lands which is in addition to any other rights fixed, decreed or granted the said plaintiff.

XIX.

*22-0126*  
That the plaintiff, First Security Bank of Utah, a corporation, is the owner of the following described lands, to-wit:

*From #1608*  
W $\frac{1}{2}$ Se $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of section 34,  
in township 4 north, range 45 E.B.M.  
containing 140 acres more or less,

and for the irrigation of the said lands has diverted and conveyed through what is known as Tonks Canal, with point of diversion as set out in paragraph XIII hereof, on or before and ever since the 22d day of January, 1916, 2.8 cubic feet per second or 140 miners inches of the waters of Trail Creek each irrigation season since said date and applied said quantity of water or stream flow to the irrigation of said lands, which is in addition to any other rights fixed, decreed or granted the said plaintiff.

XX.

*22-0127*  
That the plaintiffs, Myrtle Cluff, Byron D. Driggs and Pearl Cardon are the owners of the Following described lands, to-wit:

SE $\frac{1}{4}$  of section 19; Tax No. 643 of section 20, and Tax No. 644 of section 29, as designated on the 1937 Tax Roll of Teton County, Idaho, all in township 3 north, range 46 E.B.M. Containing 187 acres, more or less,

and are the owners of a common ditch by and through which they divert and convey water from Moose Creek, a tributary of Trail Creek,

for the irrigation of the above described lands, with point of diversion and diversion works located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of section 29 in township 3 north, range 46 E.B.M. That the plaintiffs have diverted 3.74 cubic feet per second or 187 miners inches of the waters of Moose Creek through their common ditch, with point of diversion and use upon the above described lands; that on or before and ever since the 22d day of January, 1916, have diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigating season the above stated quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiffs.

XXI.

That the plaintiff J. M. Ingram, is the owner of the following described lands, to-wit:

NW $\frac{1}{4}$ NE $\frac{1}{4}$  of section 12 in township 3 north, range 45 E.B.M. containing 40 acres, more or less,

and for the irrigation of the said lands has diverted and conveyed through a common ditch, with point of diversion and diversions works located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of section 12 in township 3 north, range 45 E.B.M. on or before and ever since the 22d day of January, 1916, .8 cubic foot of the waters of Ingram Creek, a tributary of Trail Creek, each irrigation season since said date and applied said quantity of water or stream flow to the irrigation of said lands, which is in addition to any other rights, fixed, decreed or granted the said plaintiff.

XXII.

From the above findings, the Court concludes, that, -  
plaintiffs herein named are entitled, and, -

10/12/04  
DO

This claim is wrong in described  
POD & POL.

This claim should be:

POD T3N R 46E S 20 NW SW

POL T3N R 46E S 19

Need c/o as well! (Done)

Merlin Hare - current owner

\* Please refer to claim A2200127A for  
map of field exam.

Correct address:

Meredith Hare

PO Box 230

Victor, ID 83455

Moose  
Creek

Rock Creek

dam

22  
112347





DELOS  
AR  
1-3-05

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| A2212347              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Galen Estates (50 acres) Germany  
David Hare (40 acres) deceased

4. New Owner/Claimant(s)

MEREDITH HARE - DEBRA PATLA  
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 230

City, State and ZIP Code

VICTOR, ID 83455

New Telephone Number

208 787 2962

5. Date you acquired the property

yes (50 acres)  
no (40 acres)

136876

A. 100

Fun. by FIRST AMERICAN TITLE COMPANY  
Formerly TARGHEE TITLE CO.

# WARRANTY DEED

RECEIVED

For Value Received

OCT 30 1991

David Meredith Hare

TETON Co. Id.  
Clerk Recorder

the grantor , does hereby grant, bargain, sell, and convey unto

Meredith Hare

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

Beginning at a point which lies North 0°00'51"W, 413.80 ft. from the Northwest corner of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Sec. 19, Twp. 3N, Rng. 46 E., B.M. Teton County, Idaho; thence N 85°07'11"E, 307.56 ft.; thence N 21°17'00"W, 152.31 ft.; thence N 05°10'00"W, 347.69 ft.; thence N 89°44'22"E, 955.10 ft.; thence S 00°06'28"W, 465.02 ft.; thence N 89°44'22"E, 1461.52 ft.; thence N 00°06'28"E, 850.50 ft. along the section line; thence N 89°46'08"W, 2637.41 ft.; thence S 00°00'51"E, 902.95 ft. to the point of beginning. Contains 51.5 Acres more or less.

Excepting the following 10 Acre parcel being described as:

Beginning at a point which is N 00°00'51"W, 1730.56 ft.; N 85°07'11"E, 307.56 ft. and N 21°17'00"W, 121.00 ft. from the South  $\frac{1}{4}$  corner of Sec. 19, Twp. 3N, Rng. 46 E., B.M. Teton County, Idaho and running N 21°17'00"W, 31.31 ft.; thence N 05°10'00"W, 436.52 ft.; thence N 89°44'22"E, 963.27 ft.; thence S 0°06'28"W, 463.52 ft.; thence S 89°41'60"W, 911.72 ft. to the point of beginning.

+ 40 acre

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

Dated: 10-30-91

*Meredith Hare*  
David Hare

STATE OF IDAHO, COUNTY OF Teton  
On this 30 day of October, 1991,  
before me, a notary public in and for said State, personally  
appeared *David Meredith Hare*

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

Residing at Teton, Idaho  
Comm. Expires 9-28-93

108991

FILED

AT THE REQUEST OF

*David M. Hare*

AT 15 MINUTES past 2 P M

DATE October 30, 1991

*Asa J. Drake*

CLERK OF RECORDER

BY *Donnie Seese*

DEPUTY

FILMED  
INDEXED  
PLATED

INSTRUMENT NO.

## FREMONT-MADISON IRRIGATION DISTRICT

Notice of Operation & Maintenance Charges  
for the Year of 2004

No. 2307

## REAL ESTATE DESCRIPTION:

± 40 acresThe amount due upon account of operation  
and maintenance for the year  
upon the described land is:

19 -03 -46

Tax #2842 Parcel #RP03N46E197201A

Acre Feet of Storage Water 20.00

Operation and Maintenance . . . . . \$

Minimum Assessment . . . . . \$

60.00

Unpaid Assessments  
for the year:

HARE, MERLIN

P.O. BOX 230

VICTOR, ID. 83455

Total Taxes \$

Delinquent Penalty \$

Interest \$

Costs \$

Total \$

60.00

Important information on reverse side.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

HARE, MERLIN

No. 2307

Year 2004

P.O. BOX 230

VICTOR, ID. 83455

Final Payment of O. &amp; M.

Second Installment

|         |    |       |
|---------|----|-------|
|         | \$ | 30.00 |
| Penalty | \$ |       |

|          |    |     |
|----------|----|-----|
| Interest | \$ | 2ND |
| Costs    | \$ |     |
| Total    | \$ |     |

Personal checks subject to bank clearance

Make checks payable to:  
Fremont-Madison Irrigation District  
P.O. Box 15  
St. Anthony, Idaho 83445

Delinquent if not paid on or before JUNE 20, 2005

## FREMONT-MADISON IRRIGATION DISTRICT

Notice of Operation & Maintenance Charges  
for the Year of 2004

No. 2308

## REAL ESTATE DESCRIPTION:

19 -03 -46  
part of N2SE4± 50 acres

50 ac

The amount due upon account of operation  
and maintenance for the year  
upon the described land is:

|                                     |       |       |
|-------------------------------------|-------|-------|
| Acre Feet of Storage Water          | 25.00 |       |
| Operation and Maintenance . . . . . | \$    | 75.00 |
| Minimum Assessment . . . . .        | \$    |       |

Unpaid Assessments  
for the year:HARE, MERLIN & DEBRA A PATLA  
PO BOX 230  
VICTOR, ID. 83455

|                    |    |       |
|--------------------|----|-------|
| Total Taxes        | \$ |       |
| Delinquent Penalty | \$ | 75.00 |
| Interest           | \$ |       |
| Costs              | \$ |       |
| Total              | \$ |       |

Important information on reverse side.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

HARE, MERLIN & DEBRA A PATLA No. 2308  
Year 2004PO BOX 230  
VICTOR, ID. 83455

Final Payment of O. &amp; M.

Second Installment

|         |    |       |
|---------|----|-------|
|         | \$ | 37.50 |
| Penalty | \$ |       |

|          |    |  |
|----------|----|--|
| Interest | \$ |  |
| Costs    | \$ |  |
| Total    | \$ |  |

2ND

Personal checks subject to bank clearance

Make checks payable to:  
Fremont-Madison Irrigation District  
PO. Box 15  
St. Anthony, Idaho 83445

Delinquent if not paid on or before JUNE 20, 2005

Claim no. \_\_\_\_\_

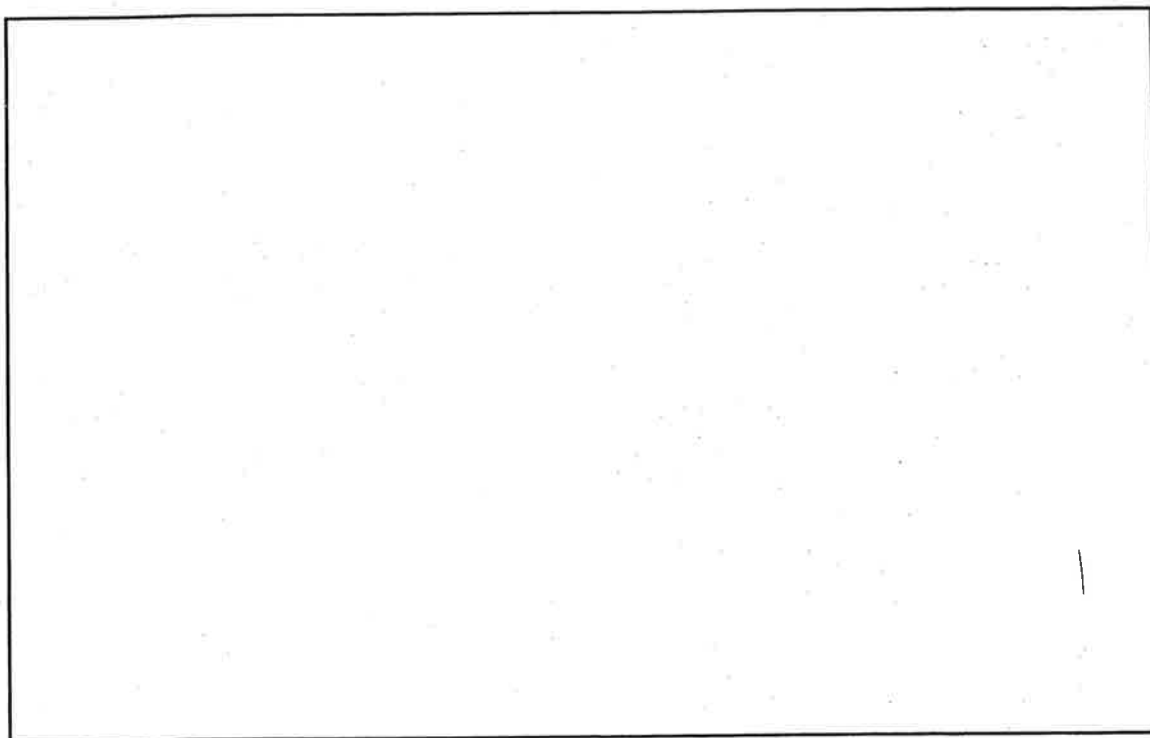
Claimant Contact Log

Date                      Remarks                      Agent initials

DD 10/16/04 I visited with Meredith (Marlin) Hare,  
about this claim.

The description listed in claim is in  
error. Hare will provide C/O form and  
will correct the errant description.

Water Right No(s). \_\_\_\_\_



**GPS DATA:**

Tag # A0014226 Location: Wheel frame on headgate

**Diversion Data:**

Source: Moose Creek Trib to: Trail Creek → Teton River

**MOTOR**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

**PUMP**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

**NOTES:**

Single gate - screw type w/ wheel - gate  
approx 4' wide.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: 10/15/04 Agent: AD

# 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 |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Recommended Point(s) of Diversion and Source.

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Other rights from this POD? \_\_\_\_\_

Transfers Pending or approved: \_\_\_\_\_

Document how the POD and Source were verified:

DO

10/15/04

Field exam showed rock-check dam and well constructed, easy to regulate headgate. Source is Moose Creek. POD is in T3N R46 and not R45.

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

## Place Of Use Data Entry Form

Claim Number: \_\_\_\_\_

Claimed Place Of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total acres \_\_\_\_\_

Recommended Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total acres \_\_\_\_\_

Pending or approved Transfers: \_\_\_\_\_

Overlapping rights: \_\_\_\_\_

Document how the POU was verified:

80  
10/16/04

Field exam shows ground has been irrigated by a series of ditches and dams.  
Please refer to Claim A2200127A for map of field exam.

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_



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

RECEIVED

JAN 17 1989

Department of Water Resources  
Eastern District Office

Date: December 17, 1988

Gisela E. Kenyon  
P.O. Box 522  
Teton Village, WY 83025

RE: Gottschall-Ludwig Water Right Claim Returned

Dear Mrs. Kenyon:

The Idaho Department of Water Resources (IDWR) is returning your check #4687 and Notice of Claim to Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please complete or correct the claim form items identified below and return the form to the IDWR within 30-days of the date of this letter. Failure to submit the required information and filing fees within this 30-day period may result in forfeiture of your water right or an assessment of a late-fee.

- Items #1 and #16: If more than one person is listed in Item #1, and the names are connected with "and", Item #16 must contain the notarized signatures of all claimants. If the names are connected by "or", only one of the claimants notarized signatures is required. Either the name connectors must be changed to "or" in Item #1, or the notarized signatures of all claimants is needed in Item #16.

It may be necessary to enclose a new check since the one attached was written almost three months ago. If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak  
Water Rights Agent, SR

Enclosure

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NOV 06 1992

NO FILM  
SYSTEMS

# WARRANTY DEED

THIS INDENTURE made this 13th day of June  
in the year of our Lord One Thousand Nine Hundred and Seventy-three, between  
GISELA HIPPELEIN-KENYON and FRANK S. KENYON, her husband

of Hopetown, County of Abaco, State of Bahamas  
the part ies of the first part, and KARLHEINZ GOTTSCHALL and SIBYLLE GOTTSCHALL,  
his wife; and FRANK LUDWIG and CAROLINE LUDWIG, his wife

of Munich, County of , State of Germany  
the part ies of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of  
Ten and No/100 ----- DOLLARS  
lawful money of the United States of America, to them in hand paid by the said part ies  
of the second part, the receipt whereof is hereby acknowledged

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

---Beginning at the Northwest Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 19,  
Twp. 3 N., Rge. 45 E.B.M. and running thence South 89°41'37"  
East 263.84 feet; thence North 175.0 feet; thence East 131.41 feet  
to the West Right-of-Way of U.S. Highway No. 33; thence South-  
easterly along said right-of-way 188.96 feet to a point that is  
South 89°41'37" East 463.84 feet from the point of beginning;  
thence South 89°41'37" East 29.78 feet; thence South 21°17'  
East 5'5.0 feet to the center of Canyon Lane,; thence South  
88°08'48" East 1946.71 feet to the East Section Line of said  
section; thence North 0°06'28" East 1019.69 feet along the section  
line; thence North 89°44'22" West 2037.42 feet; thence South  
85°07'11" West 600.34 feet; thence South 0°00'51" East 413.80  
feet to the point of beginning. Together with 93.5 inches of  
Moose Creek water issued January 22, 1916. ---

Frank S. Kenyon, the husband of Gisela Hippelein-Kenyon, has  
no interest in the hereinbefore described property, but joins  
in the execution of this deed to convey any doubtful interest.

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

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

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their  
hand s and seal s, the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

*[Signature]* (SEAL)  
*Gisela Hippelein-Kenyon* (SEAL)  
*[Signature]* (SEAL)  
*[Signature]* (SEAL)

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NOV 66

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: A22-12347  
Date Received: 10/04/1988  
Receipt No: E005528  
Received By: AK

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

|          |                                                   |              |
|----------|---------------------------------------------------|--------------|
| 1. Name: | KARLHEINZ GOTTSCHALL                              | 307-733-5078 |
| Address: | C/O GISELA KENYON<br>BOX 522<br>TETON VILLAGE, WY | 83025        |
| OR       |                                                   |              |
| Name:    | SIBYLLE GOTTSCHALL                                | 307-733-5078 |
| Address: | C/O GISELA KENYON<br>BOX 522<br>TETON VILLAGE, WY | 83025        |
| OR       |                                                   |              |
| Name:    | FRANK LUDWIG                                      | 307-733-5078 |
| Address: | C/O GISELA KENYON<br>BOX 522<br>TETON VILLAGE, WY | 83025        |
| OR       |                                                   |              |
| Name:    | CAROLINE LUDWIG                                   | 307-733-5078 |
| Address: | C/O GISELA KENYON<br>BOX 522<br>TETON VILLAGE, WY | 83025        |

A2212347



2. Date of Priority: JAN 22, 1916

3. Source: MOOSE CREEK Trib. to: TETON RIVER

4. Point of Diversion:

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 03N      | 45E   | 20      | NW     | SW     |     |     | TETON  |

5. Description of diverting works:  
A CEMENT HEADGATE & LATERAL DITCH LEADING FROM MOOSE CREEK

A22-12347

Page 1

Date: 01/20/89

MICROFILMED  
NOV 06 1992

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.870 |      |        |

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

A.F.A.

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

9. Non-irrigation uses:

THERE IS IN-STREAM STOCKWATERING ON THE PREMISES

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 03N      | 45E   | 19      | NE     | SE  |     | IRR           | 13.0  |
|          |       |         | NW     | SE  |     | IRR           | 13.0  |
|          |       |         | SW     | SE  |     | IRR           | 13.0  |
|          |       |         | SE     | SE  |     | IRR           | 13.0  |
|          |       |         |        |     |     | Section Acres | 52.0  |
|          |       |         |        |     |     | Total Acres   | 52.0  |

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:

15. Basis of Claim: DECREED  
Case Number:  
Court : 7TH  
Decree date: 1/22/1916

Decree Plaintiff

vs

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

A22-12347

Date Received

10/4/88

Receipt Number

E00 5528**RECEIVED**

JAN 17 1989

Department of Water Resources  
Eastern District Office

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

**RECEIVED**

OCT 4 1988

Department of Water Resources  
Eastern District Office

Please type or print clearly.

1. Name of Claimant (s) Karlheinz <sup>or</sup> Sibylle Gottschall Frank and Caroline Ludwig AK. Phone ( 307 ) 733-5078

Mailing Address c/o Gisela Kenyon, Box 522, Teton Village, WY Zip 83025

2. Date of Priority (Only one (1) per claim) January 22, 1916

3. Source of water supply (a) Moose Creek  
which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 3N Range 45E Section 20,  
1/4 of NW 1/4 of SW 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. A cement headgate and lateral ditch leading from Moose Creek, in which is a check to raise the water for delivery into the lateral ditch.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.87 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1.87 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 130 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There is in-stream stockwatering on the premises.

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 |        |
| 3N  | 45E | 19  |        |       |       |       |        |       |       |       |        |       |       |       | 13     | 13    | 13    | 13    | 52     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 52

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.  
\_\_\_\_\_ or None (X)

14. Remarks:

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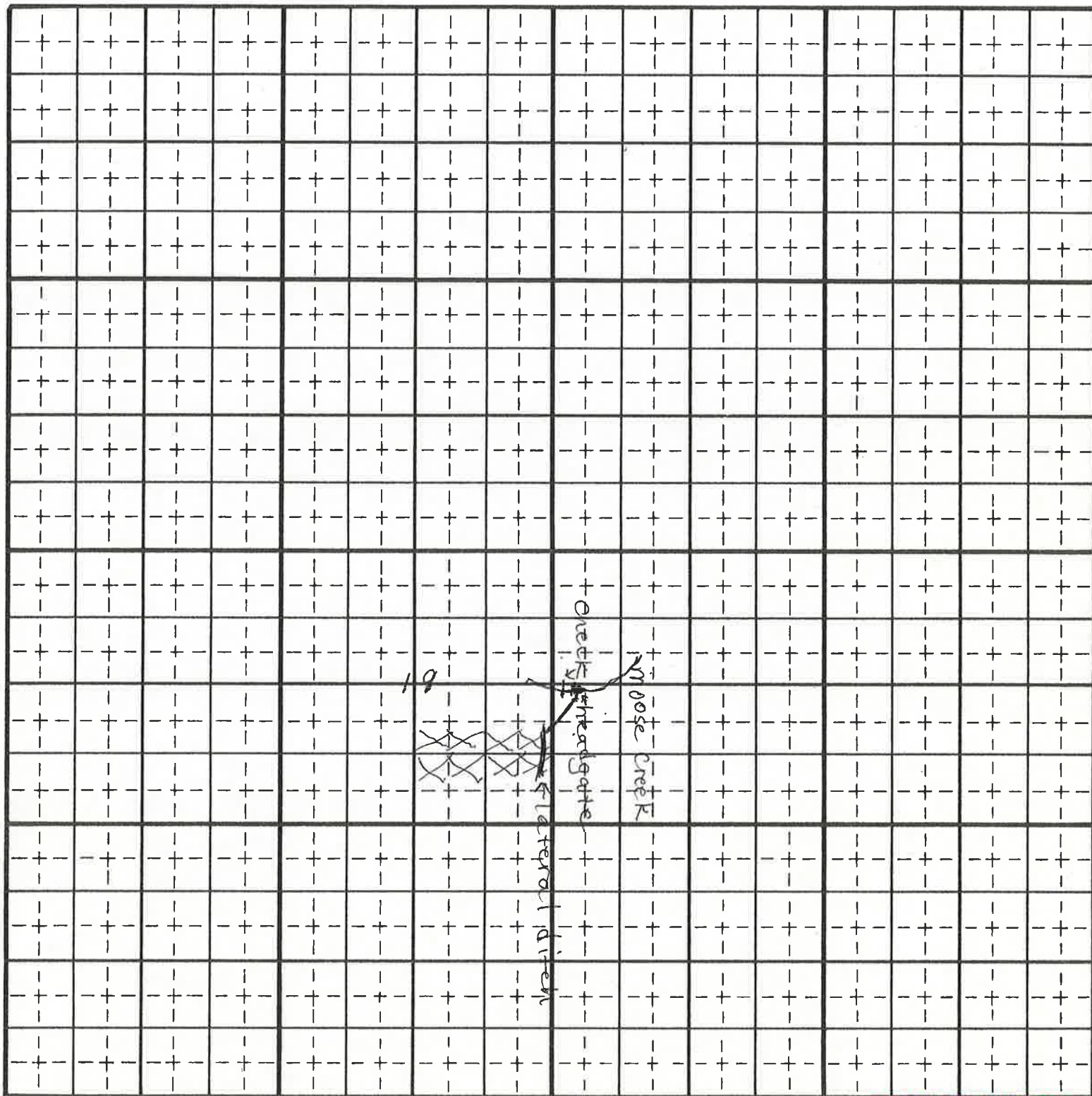
Last Name Gottschall  
Ludwig Ident No. \_\_\_\_\_

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

Section 19, Township 3N, Range 45 E.B.M.



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Last Name Gottschall  
Ludwig Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree X

If applicable provide IDWR Water Right Number \_\_\_\_\_

Court 7th Judicial District Case Number \_\_\_\_\_ Decree Date 1-22-16

Plaintiff vs 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 X 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.

10/3/88

Signature of Claimant (s)

Date

Date 10/3/88

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 \_\_\_\_\_

Title

of \_\_\_\_\_

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 \_\_\_\_\_ )

) SS.

County of Madison )

Subscribed and sworn (or affirmed) before me this 3rd day of October 19 88

SEAL

Notary Public

Debra A. Keller

Residing at

Rexburg, Idaho

My Commission Expires

11-15-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby 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

Ray W. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 10/3/88

Gottschall

Last Name

Ludwig

Ident. Number

MICROFILMED  
NOV 06 1992

Copies White-State, Yellow-Claimant

0.27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME GOTTSCHALL, KARL HEINZ OR SIBYLLE CLAIM IDE NO. A22-12347

DATE RECEIVED 10/4/88 CK # 4908 AMOUNT \$ 102.00

Is the name and address complete with zip code? ☒ YES ☐ NO

Is a priority date entered? ☒ YES ☐ NO

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? ☒ YES ☐ NO

(b) Is a tributary to entered? (if required) ☒ YES ☐ NO

4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO

5. Is there a description of the diverting works? ☒ YES ☐ NO

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. ☒ YES ☐ NO

Is the period of use included? ☒ YES ☐ NO

Is a quantity claimed for each use? ☒ YES ☐ NO

7. Is a total quantity claimed entered? ☒ YES ☐ NO

8. If required is a consumptive use entered? ☒ YES ☐ NO

Is the consumptive use correct? ☒ YES ☐ NO

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, see Adjudication Memo # 4. ☒ YES ☐ NO

10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO

11. Is (are) the county(ies) entered? ☒ YES ☐ NO

12. Is the ownership of p.u. checked? ☒ YES ☐ NO

13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO

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.) ☒ YES ☐ NO

15. Is the basis of the claim indicated? ☒ YES ☐ NO

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?) ☒ YES ☐ NO

Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO

Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO

Is the fee enclosed correct? ☒ YES ☐ NO

If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO

Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by: MICROFILMED  
NOV 06 1992

Comments: \_\_\_\_\_

FOO5528