

12/16/2006

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

RIGHT NUMBER: 22-12783

NAME AND ADDRESS: HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103

SOURCE: SWAMP

TRIBUTARY: TETON RIVER

QUANTITY: 4.800 CFS

PRIORITY DATE: 10/30/1901

POINT OF DIVERSION:

T05N R45E S21 NWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.800 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S07	NENE	40.00	T05N R45E S07	SENE	40.00
T05N R45E S07	NESE	40.00	T05N R45E S08	NWNW	40.00
T05N R45E S08	SWNW	40.00	T05N R45E S08	NWSW	40.00

240 ACRES TOTAL

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

THIS CLAIM IS FOR A PORTION OF DECREED RIGHT 22-0641.

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

11/22/2006

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: 22-641E

HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103
Telephone Number: (801)533-9730

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

Quantity

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

Change CFS

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

- SEE ATTACHED LETTER

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

DATE: 12/16/06 SIGNATURE: 

Please print your name: Harold K. Dunn

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

Ernie said to give him hrs 20.94 cfs. And apply same rate per acre for all of splits from 22-641.
Dunn owns 985.5. $\frac{20.94}{985.5} = .0212$

TB

12-16-06

12/14/06

K2

11/22/2006

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: 22-12783

HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103
Telephone Number: (801)533-9730

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

Quantity

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

CHANGE CFS

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

SRL ATTACHED LETTER

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

DATE:

12/10/06

SIGNATURE:



Please print your name:

Ken Dunn

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

See 22-641E for explanation
could get S.09 but claims it's 8.

12-16-06 RB

20



Idaho Department of Water Resources

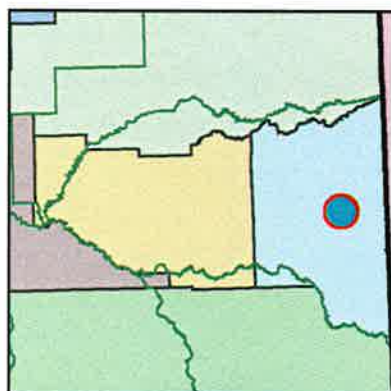
SRBA Recommendation:

22-12783

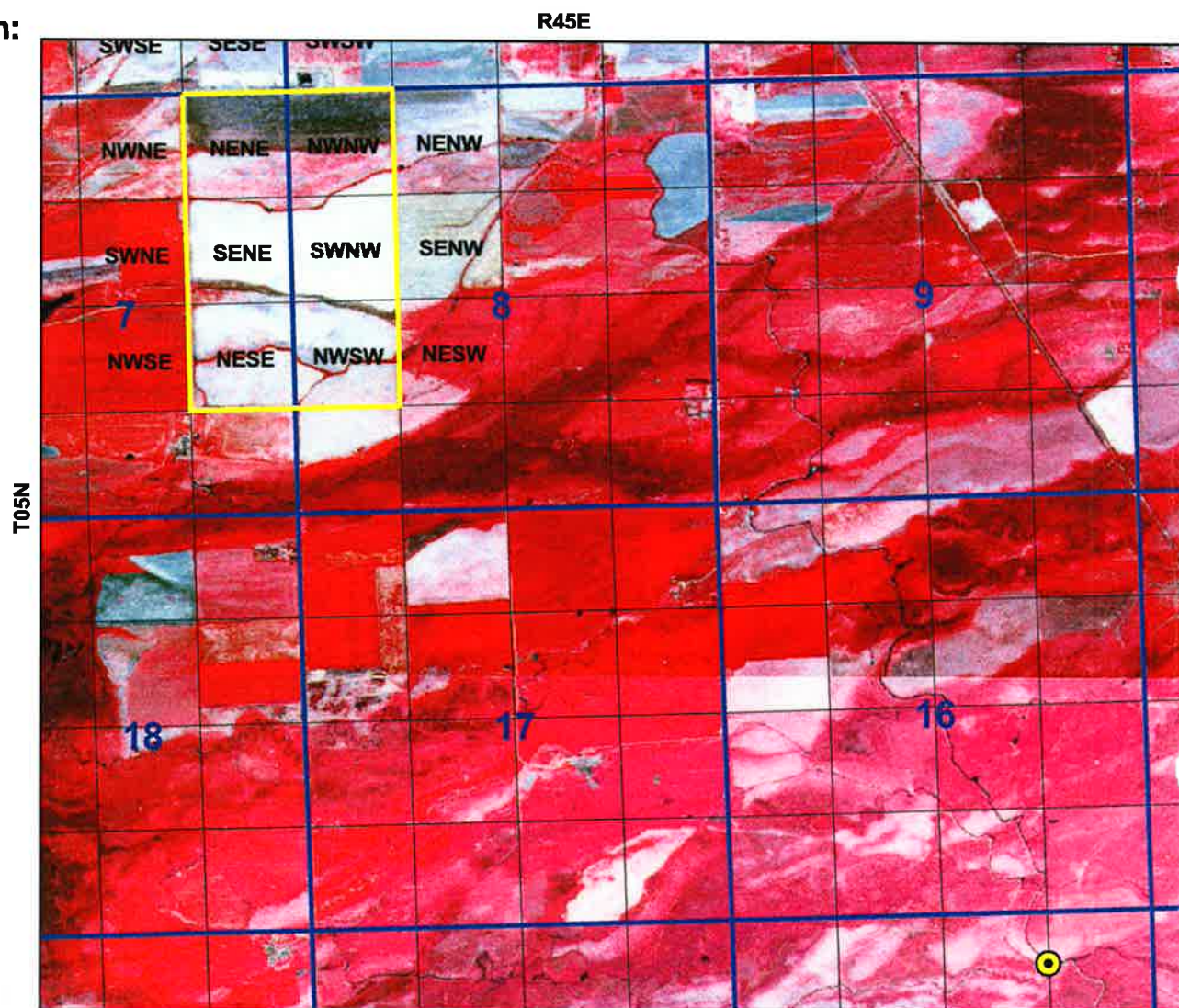
(Irrigation)

Legend

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



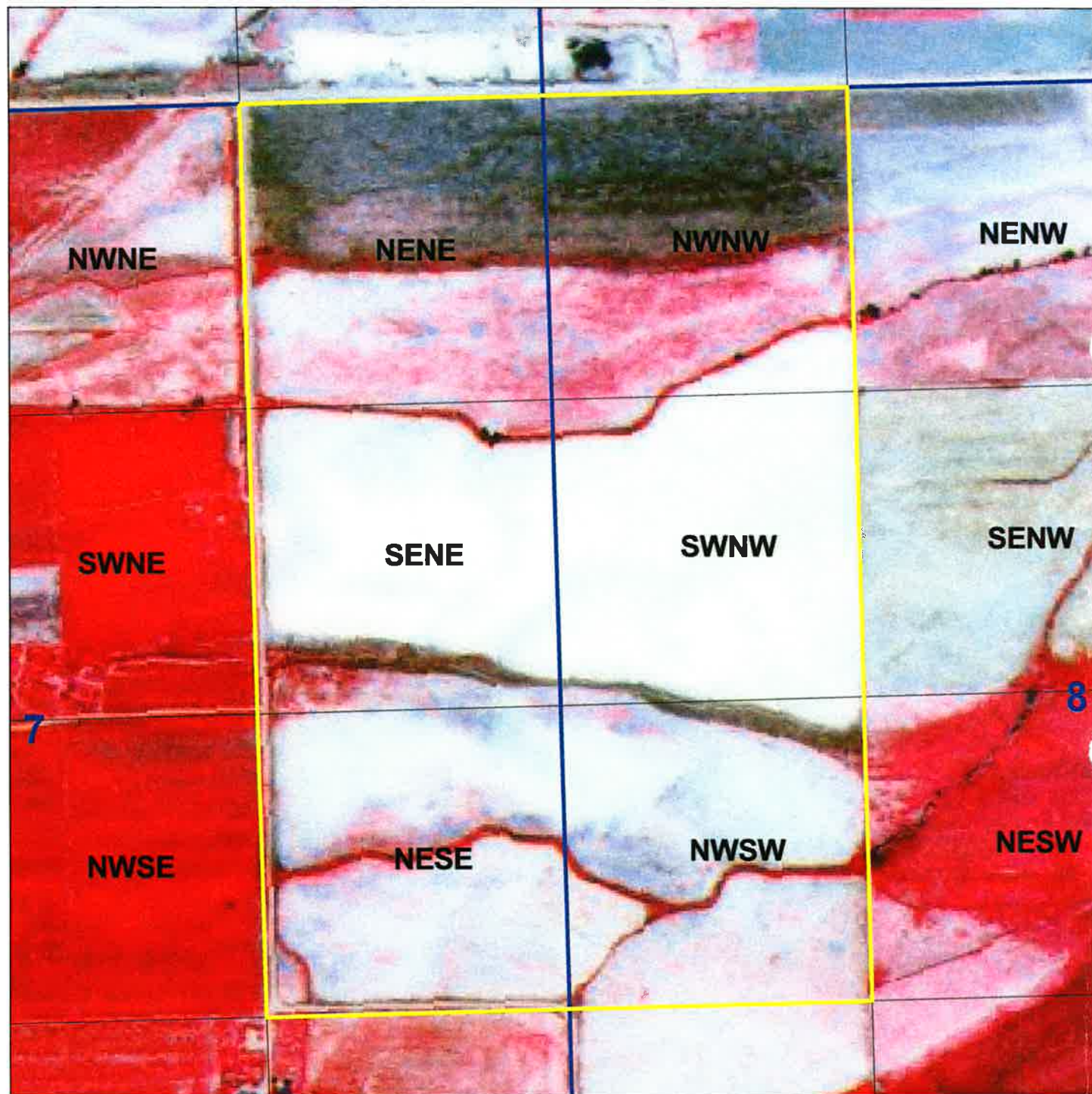
Teton County
IDWR Basin 22



0 0.9 1.8 Miles

Prepared by T. Galbraith
On Wednesday, November 22, 2006
1987/88 Aerial Photography

22-12783





Cache Canal off Darby Creek and swamps.
1/1/2003 12:00:00 AM; ABR, DO



Unnamed stream feeding Cache Canal off Darby Creek and swamps.
1/1/2003 12:00:00 AM; ABR, DO

Dunn Claims

- 22-641E - claimant ~~owns~~ ^{1281.5} 123.5 of decreed
POV which he owns. Decree states .017 cfs/acre
which is ~~2.1~~ ^{21.79} cfs
- 22-1145 - claimant claims 200 acres of decreed POV
which he owns. Decree states .017 cfs/acre which
is 3.4 cfs
- 22-12783 - claimant claims 240 acres of decreed
POV which he owns. Decree states .017 cfs/acre
which is 4.08 cfs
- 22-13383 - claimant claims 159 acres of decreed
POV which he owns. Decree states .017 cfs/acre
which is 2.7 cfs
- 22-641D - claimant ~~owns~~ 267 acres of decreed
POV which he owns. Decree states .017 cfs/acre
which is 4.54
- 22-609A - claimant ~~owns~~ ^{claims} 80 acres of original POV
which he owns. Decree states .02 cfs/acre
which is 1.6 cfs. The rest of 609 is
not claimed.
- 22-406 - claimant own all of decreed POV and
claims it. Receives .4 cfs
- 22-407 - claimant claims and owns all of decreed
POV he receives all 2.8 cfs.
- 22-276A - claimant owns all of decreed POV but
claims land outside of original POV which
he owns. assuming an accomplish change in
POV EOS condition. Receives 1.6 cfs

Dunn Claims Cont.

- 22-276B - claimant owns all of decreed pov and claims 80 acres of it. Receives 1.6 cfs
- 22-156 - SW SW of sec 12 could not have been flood irrigated should be SW SE of Sec 12. Also there is a lot of swampy land. There are no competing claims for this right. I am giving ~~200%~~ the full 2 cfs for his 70 acres.
- 22-262 - swampy land would make it so all of decreed land was not irrigated. Claimant is claiming .8 cfs for 123.5 acres which ~~seems~~ seems ok to me. He owns full pov.
- 22-263 - Same as 262. I am allowing full 1.6 cfs no competing claims.
- 22-264 - Same as 262. I am allowing full .8 cfs no competing claims.
- 22-408B - ~~only owns 120 acres of decreed pov which is .6 cfs based on decreed cfs/acre. Selling of land resulted in an unproportional split of water. 408B retains .7 cfs.~~
- 22-409B - selling of land resulted in unproportional split of water. 409B retains .875 cfs.
- 22-410B - claim reflects amount of water sold to Dunn. 410B retains 1.225 cfs.

2-27-06 TG

OK
JC
5/23/05

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-12783				

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)

RICHARD HORN
PO Box 4032 DARIEN CT

4. New Owner/Claimant(s)

Harold K. Dunn
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

662 Jaddle Hill Rd

City, State and ZIP Code

SALT LAKE CITY, UTAH 84103

New Telephone Number

801, 533-9730

5. Date you acquired the property

Aug 27, 1993

COMPLETED
5/25/05
KMU

RECEIVED

MAY 11 2005

Department of Water Resources
Eastern Region

PROFIT

SCANNED

JUN 28 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

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.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

PROFILE

SCANNED
JUN 28 2005

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) Or Claimant(s) _____
(include title if applicable) _____
General Partner

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

PROFIT

SCANNED

JUN 28 2005

AUG 27 1993

NOTARY PUBLIC
P.O. BOX 544
IDAHO, ID 83422

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

For Value Received

Richard Hokin individually and/or as Nominee

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

H.D. Dunn and Son Limited Partnership,

whose current address is

602 N. Saddlehill Road, Salt Lake City, Ut 84103

the grantees, the following described premises, in Teton County Idaho, to wit:
An undivided 64.183 interest in the
E1/2 NE1/4, NE1/4 SE1/4 of Section 7; W1/2 NW1/4, NW1/4 SW1/4 of Section
8, all in Township 2 North, Range 65 East, Boise Meridian, Teton
County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances
except: subject to all existing patent reservations, easements, rights of way, protective
covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 27, 1993

Richard Hokin, individually and/or
as nominee

Wendy Hokin

STATE OF IDAHO, COUNTY OF Teton
On this 27th day of AUGUST, 1993,
before me, a notary public in and for said State, personally
appeared

Richard Hokin - Wendy Hokin

known to me to be the persons whose names & are
subscribed to this instrument, and acknowledged to
me that they executed the same.

Notary Public
My Comm. Expires October 31, 1993
No. 91-464122
Qualified in Cassia County

113675

FILED

AT THE REQUEST OF

American Land

AT 15 MINUTES PAST 2 P. M.

DATE August 27, 1993

Donna Deice

CLERK OF RECORDER

BY Donna Deice

SCANNED

JUN 28 2005

JUN 28 2005

SCANNED

Commission Expires October 31, 1993
Qualified in Queens County
No. 41-484102
CAROL A. MARINO
Notary Public, State of New York

Notary Public
Residing at:
Comm. Expires



On this ... day of ... 1993,
before me, a notary public in and for said
state, personally appeared Richard Hokin known
to be the person whose name is subscribed
to the within instrument, and acknowledged to
me that he executed the same.

STATE OF New York, COUNTY OF Queens

Richard Hokin, as Nominee

Dated: August 27, 1993

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said grantees, their heirs and assigns
forever. And the said grantor does hereby covenant to and with the
said grantees, that they are the owners in fee simple of said
premises; that they are free from all incumbrances except subject
to all existing patent reservations, easements, rights of way,
protective covenants, zoning ordinances, and applicable building
codes, laws and regulations.

An undivided 35.828 interest in the S1/2 NE1/4, NE1/4, SE1/4 of
Section 71 W1/2 NW1/4, NW1/4 SW1/4 of Section 8, all in
Township 5 North, Range 45 East, Boise Meridian, Teton County,
Idaho.

the grantees, the following described premises, in Teton County
Idaho, to wit:

Lake City, UT 84103
Partnership, whose current address is 662 N. Saddlehill Road, Salt
bargain, sell and convey unto H.D. Dunn and Son Limited
Richard Hokin, as Nominee, the grantor, does hereby grant,

For Value Received

WARRANTY DEED

P.O. Box 641
Driggs, ID 83422

AUG 27 1993

FILED

113676

ATTEST: My commission expires on 10-31-93
DATE August 27, 1993
CLERK OF RECORDER
DEPUTY

Broker
John A. McKellar



June 21, 2004

22-12783

Department of Water Resources
Eastern District office
900 North Skyline Drive
Idaho Falls, Idaho 83402

RE: Change of Ownership
Teton County, Idaho
Twn. 5 North, Rge 45 EBM
Sec 7: E1/2NE1/4 and NE1/4SE1/4
Sec. 8: W1/2NW1/4 and NW1/4SW1/4
Hokin to Dunn

RECEIVED

JUN 22 2004

Department of Water Resources
Eastern Region

Dear Department of Water Resources:

It has come to my attention that in August of 1993 we did not forward to your office copies of documents verifying the sale of the above described property from Richard Hokin to Harold Dunn.

Please find enclosed copies of the recorded Warranty Deeds (Instrument #113676 and #113675 - Teton County Records) showing transfer of ownership and no exclusion of any water rights. Also a copy of the Attachment to the Real Estate Purchase and Sale Agreement signed by both parties verifying that all water rights, ditch rights, mineral, gas, oil and geothermal rights conveyed to the Buyer in the transaction.

Since closing on August 27, 1993 Dr. Dunn, Grantee, has continued to farm the property using the water rights associated with that property.

Copies of documents obtained from your office (March, 1995) showing the specific rights are also enclosed to assist in making this correction on your records.

Thank you for your assistance in correcting the records. If you have any questions please call me at 354-2348.

Kind regards,



John A. McKellar, Broker
American Realty West, Inc.

RECEIVED

35-7958-12

AUG 27 1993

TETON Co. Id.-
Clerk Recorder

WARRANTY DEED

American Land Title Co.
P.O. Box 644
Driggs, ID 83422

For Value Received

Richard Hokin, as Nominee, the grantor, does hereby grant, bargain, sell and convey unto H.D. Dunn and Son Limited Partnership, whose current address is 662 N. Saddlehill Road, Salt Lake City, UT 84103

the grantees, the following described premises, in Teton County Idaho, to wit:

An undivided 35.82% interest in the E1/2 NE1/4, NE1/4 SE1/4 of Section 7; W1/2 NW1/4, NW1/4 SW1/4 of Section 8, all in Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances except: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: August ²⁷~~25~~, 1993



Richard Hokin, as Nominee

STATE OF *New York*, COUNTY OF *Queens*

On this *25th* day of *August*, 1993, before me, a notary public in and for said State, personally appeared Richard Hokin known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Carol A. Marino
Notary Public
Residing at:
Comm. Expires

CAROL A. MARINO
Notary Public, State of New York
No. 41-4844102
Qualified in Queens County
Commission Expires October 31, *1993*

113676

FILED

AT THE REQUEST OF

American Land

AT *15* MINUTES PAST *2 P* M

DATE *August 27, 1993*

Asa J. Drake
CLERK OF RECORDER

BY *Bonnie Seese*
DEPUTY

AUG 27 1993

American Land Title Co.
P.O. Box 644
Driggs, ID 83422TETON Co. Id.
Clerk Recorder

WARRANTY DEED

For Value Received

Richard Hokin, individually and/or as Nominee
the grantor, do hereby grant, bargain, sell and convey unto

H.D. Dunn and Son Limited Partnership,

whose current address is

662 N. Saddlehill Road, Salt Lake City, Ut 84103

the grantees, the following described premises, in Teton County Idaho, to wit:
An undivided 64.18% interest in the
E1/2 NE1/4, NE1/4 SE1/4 of Section 7; W1/2 NW1/4, NW1/4 SW1/4 of Section
8, all in Township 5 North, Range 45 East, Boise Meridian, Teton
County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

ATTACHMENTREAL ESTATE PURCHASE AND SALE AGREEMENT

June 14, 1993

Richard Hokin to Harold Dunn, M.D., or Nominee

THIS ATTACHMENT IS PART OF THE AGREEMENT

Legal Description

Township 5 North, Range 45 East, Boise Meridian

Section 7: E½NE¼ and NE½SE¼

Section 8: W½NW¼ and NW½SW¼

Including all water rights, ditch rights, mineral, gas, oil and geothermal rights appertaining to the property

This Offer to Purchase is SPECIFICALLY subject to the following:

1. Review and approval of the preliminary title report and all water rights by the Buyer and the Buyer's Attorney. Title insurance on this property shall be provided by the Seller.
2. The Seller, at the Seller's option, shall have the right to pursue this transaction under an IRS 1031 Tax Deferred Exchange. All legal expenses associated with an exchange shall be paid by the Seller.
3. Buyer and Seller shall share equally in closing costs and any escrow fees.
4. The Earnest Money Check tended by the Buyer shall be deposited in the Trust Account of American Realty West upon acceptance of this offer by both parties.

BUYER:


Harold Dunn, M.D.

Date:

6-14-93

SELLER:


Richard Hokin

Date:

6/26/93



RECEIVED

JUN 22 1995

Department of Water Resources
Eastern Region

RECEIVED

MAR 03 1995
Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern District Office
900 North Skyline Drive
Idaho Falls, Idaho 83402

COPY

Property Description: Township 5 North, Range 45 EBM:
Section 7: E1/2NE1/4
NE1/4SE1/4
Section 8: W1/2NW1/4
NW1/4SW1/4

I would like to know if you could please send me all of the recorded water right information appertaining to the above described parcel.

Our address is: American Realty West
P.O. Box 97
Driggs, ID. 83422

Thank you,


Paul Lanzon
Assistant to John McKellar

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: A22-12783
Date Received: 10/23/1989
Receipt No: E011053
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD HOKIN 203-655-8735
Address: P.O. BOX 4032
DARIEN, CT 06820

2. Date of Priority: OCT 30, 1901

3. Source: SWAMP Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	16	SE	SW			TETON

5. Description of diverting works:
OVERFLOW OF SWAMP/SPRINGS COLLECTED INTO CACHE CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		

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

8. Total consumptive use is 1190.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	7	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0

Section Acres 120.0

A22-12783

Page 1

Date: 10/25/89

MICROFILMED
NOV 07 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	8	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	120.0
						Total Acres	240.0

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 CLAIM IS FOR A PORTION OF DECREEED RIGHT 22-0641.

15. Basis of Claim: DECREEED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 4.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1190 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 instruction for standard symbols.

TWP:RNG:SEC:	NE1/4				:	NW1/4				:	SW1/4				:	SE1/4				:	TL	
:	:	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:
5N:45E:	7	:	40'			40:	:					:					:	40'				:120
:	8	:				:	:		40'	40'		:		40'			:					:120
:	:	:				:	:					:					:					:
:	:	:				:	:					:					:					:
:	:	:				:	:					:					:					:
:	:	:				:	:					:					:					:
:	:	:				:	:					:					:					:
:	:	:				:	:					:					:					:

Total number of acres irrigated 240

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.

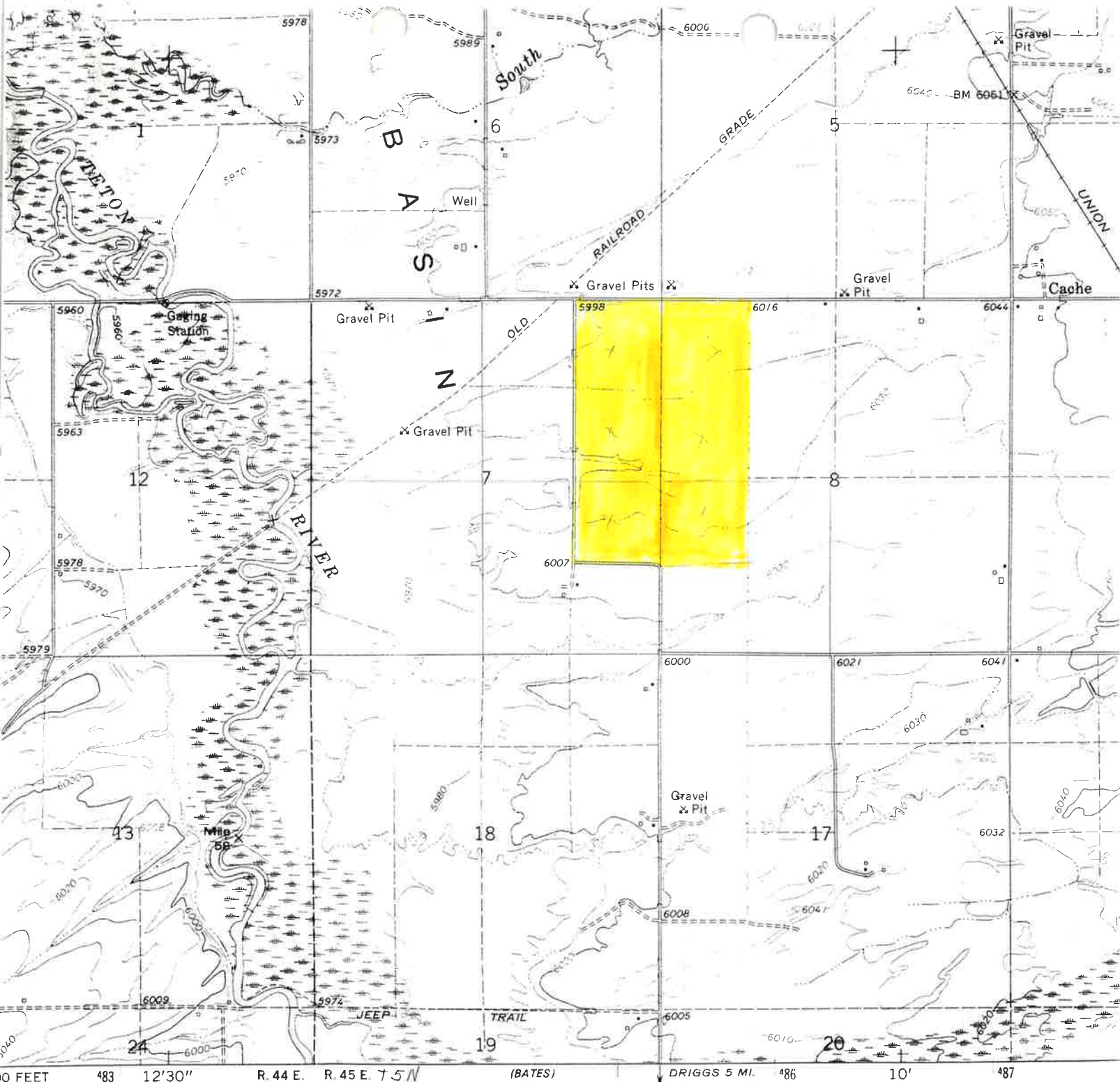
_____ or None (X)

14. Remarks:

Applicant owned stock in the Chache Canal Co. The company is no longer in existence but the canal is still operated.

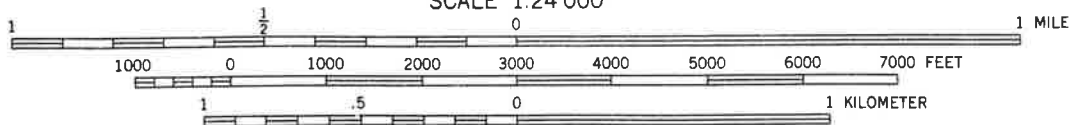
Last Name Hokin Ident No. 22-0641

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NOV 07 1992



0 FEET 483 12'30" R. 44 E. R. 45 E. T. 5 N. (BATES) 3771 II NW DRIGGS 5 MI. 486 10' 487

SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

MN
17 1/2°
311 MILS

MAGNETIC NORTH
CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

MICROFILM QUADRANGLE LOCALITY

NOV 07 1992



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

If applicable provide IDWR Water Right Number 22-0641
Court _____ Case Number _____ Decree Date _____
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.

Signature of Claimant(s) [Signature] Date 9-20-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ of _____, that I have signed the
Title Organization

foregoing document in the space below as _____
Title
of _____ and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or New York
County of Queens) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of October, 1989

CAROL A. GAGLIARDI
Notary Public, State of New York
No. 41-4844102
Qualified in Queens County
Commission Expires October 31, 1989

Notary Public Carol A. Gagliardi
Residing at 15-60 269 St. Bayside, NY
My Commission Expires 10/31/89

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 [Signature]
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 10-10-89

Last Name Hokin Ident. Number 22-0641

MICROFILM

NOV 07 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: E011053

Date: 10/23/89
Time: 15:56:09

Received

From: HOKIN, RICHARD

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$290.00
LATE FEE	0410162 9337 6490	\$50.00
Total		\$340.00

CHECK 003113

WR/NO: A22-12783

*NUMBER CHANGED FROM
A22-00641. CLAIM IS ONLY
FOR PORTION OF DECREED RIGHT.*

Idaho Department of Water Resources

Region: EASTERN

Signature: 

MICROFILMED
NOV 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

A22-12783

Permanent file

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 4, 1989

Ms. Carol Gagliardi
Century Partners
P. O. Box 4032
Darien, CT 06820

RE: Claim - Richard Hokin

Dear Ms. Gagliardi:

The claim you sent to this office on behalf of Mr. Hokin is returned for additional items. Enclosed with that claim is a photocopy of an aerial photograph showing the public land survey grid system. The aerial may be helpful in arriving at amounts for Items #6, #7, #8, and #10.

As you can see from what is called a water rights claim proof reading report, the Cache Canal Company water right was originally for 27.36 cfs to be used on the lands outlined as place of use. I take it Mr. Hokin has a portion of this former water right. Normally the successor to a water right has the proportionate share of the original water right often based on irrigated acreage. With these materials I hope you can assist Mr. Hokin in completing the required elements of the claim form.

As set out in the instructions there are filing fees required. In the case of irrigation rights the filing fee is tied to the number of irrigated acres claimed. Based on the number of acres at \$1.00 per acre, this variable fee would be added to the \$50.00 flat fee. In addition, the filing deadline

2-22-91
filed 10-23-89 on
E011053 - late fees
paid.
Danni Smith
T/son

MICROFILMED

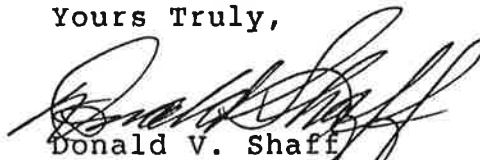
NOV 6 7 1992

Ms. Carol Gagliardi
January 4, 1989
Page 2

for Teton County as set out in the Commencement Notice was October 6, 1988. As a result, Mr. Hokin would also add to his filing fees a late fee of \$50.00 or 15% percent of the initial fee, whichever is greater.

If you would kindly assist Mr. Hokin in completing the filing of his claim, the staff in this agency would be happy to process it and eventually recommend the water right to the court. Thank you for your cooperation in this matter.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures
Long Form, Partially Completed
Aerial
Proof Report

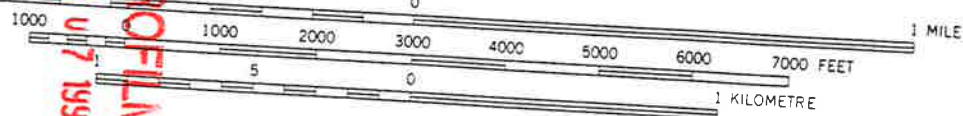
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NOV 6 7 1992



NOV 07 1992

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SCALE 1:24 000



489000m.E.

1/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME HOKINCLAIM I T. NO. A22-12783DATE RECEIVED 10/23/89

CK # _____

AMOUNT \$ _____

YES NO Required Info?

1. Is the name and address complete with zip code? X NO *
2. Is a priority date entered? X NO *
- Is the priority date acceptable in view of mandatory filing dates? X NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. X NO *
3. (a) Is a source entered? X NO *
- (b) Is a tributary to entered? (if required) N/A X NO *
4. Is the legal description of the p.d. sufficient? X NO *
5. Is there a description of the diverting works? X 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. X NO *
- Is the period of use included? X NO *
- Is a quantity claimed for each use? X NO *
7. Is a total quantity claimed entered? X NO *
8. If required is a consumptive use entered? N/A X NO *
- Is the consumptive use correct? N/A X 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. N/A X NO *
10. Is (are) the place(s) of use and purpose(s) indicated? X NO *
11. Is (are) the county(ies) entered? X NO *
12. Is the ownership of p.u. checked? X NO *
13. Are other water rights listed or "none" indicated? X 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.) N/A X NO *
15. Is the basis of the claim indicated? X NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A X NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. X NO *
18. Has the claim been signed, sealed, and dated by a notary? X NO *
19. Was this claim filed on time, or was an extension granted? X NO *
20. Is the fee enclosed correct? Exempt X NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A X NO *
22. Should this claim be data entered? X NO *

Claim checked by: TO Date: 10/23/89Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: (19) ALSO CODE "THIS CLAIM IS FOR A PORTION OFDECREED RIGHT 22-0641." (6) PERIOD OF USE EXCEEDS GUIDELINE.MICROFILMED
NOV 07 1992