

10/13/2006

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

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RIGHT NUMBER: 22-13234  
NAME AND ADDRESS: LEXIE G HILL  
123 S 500 W  
DRIGGS ID 83422  
THOMAS E HILL  
123 S 500 W  
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK TRIBUTARY: TETON RIVER  
QUANTITY: 0.080 CFS  
PRIORITY DATE: 06/01/1895  
POINT OF DIVERSION: T04N R44E S12 SWNWSE 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          | 0.080 CFS       |
| PLACE OF USE: | <u>IRRIGATION Within TETON County</u> |                      |                 |
|               | T04N R44E S01 NWSW 7.10               | T04N R44E S02 NESE   | 7.31            |
|               | 14.41 ACRES TOTAL                     |                      |                 |

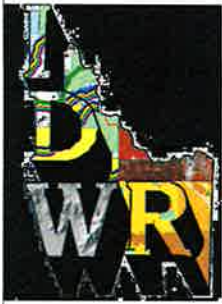
Right Nos. 22-13230 and 22-13234 are limited to the irrigation of a combined total of 14.41 acres in a single irrigation season.

This right is limited to the irrigation of 7.1 acres within the place of use described above in a single irrigation season.

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 portion of former right 22-590.



# Idaho Department of Water Resources

SRBA Recommendation:

**22-13230**

**22-13234**

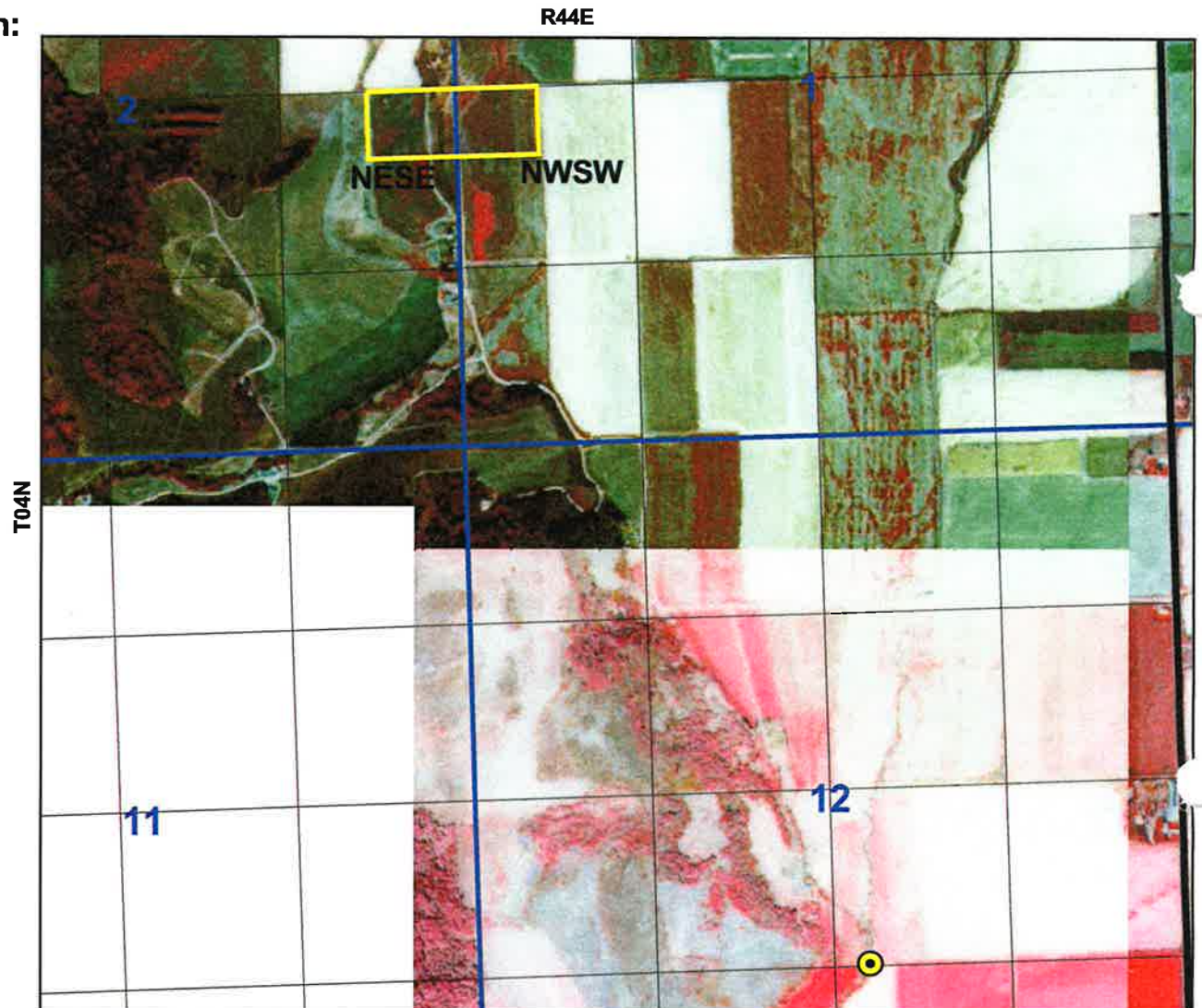
(Irrigation)

## Legend

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



Teton County  
IDWR Basin 22



Prepared by T. Galbraith  
On Friday, October 13, 2006  
1987/88 Aerial Photography

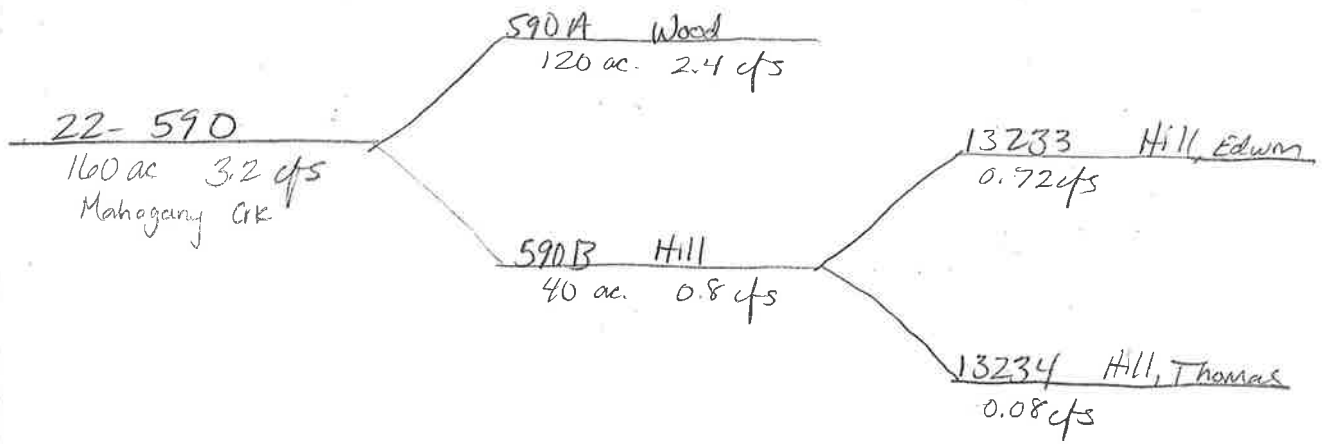
5-16-06

- claimant does not claim land decreed under 22-590

TH

10-12-06

- Tom Hill said legal is wrong should be NWSA of sec 1 and NESE sec 2  
14.41 acres



22-590 160 ac 3.2 cfs

590A Wood  
120 ac. 2.4 cfs

590B Hill  
40 ac. 0.8 cfs

13233 Hill, Edwin  
0.72 cfs

13234 Hill, Thomas  
0.08 cfs

~~1-0855~~ ~~22-0581~~ ✓  
 Wilford Irrigation  
 & Manufacturing  
 Company. 3,392 inches. June 1, 1884. Teton River.

~~1-0855~~ ~~22-0582~~ ✓  
 William, Charles. 60 inches. May 15, 1897. South Leigh Creek.

~~1-0855~~ ~~22-0583~~ ✓  
 Williams, Charles. 100 inches. June 1, 1899. South Leigh Creek.

~~1-0855~~ ~~21-0135~~ ✓  
 William Ernest. 250 inches. June 1, 1898. Osborn Springs.

Williams, Evan (See D. J. Brennan)

Williams, G. E. Watson Slough  
 Irrigation Company.

~~1-0855~~ ~~21-0136~~ ✓  
 Williams, Mrs. H. N. 200 inches. June 1, 1898. Osborn Springs.)

Williams, Thomas E. Enterprise Canal  
 Company.

~~1-0855~~ ~~35-0035~~ ✓  
 Williamson, Benjamin. 160 inches. May 1, 1903. McTucker Springs  
 (Sold to J. B. Martin. Trego Ditch Company.

Wilson, L. D. and J. B.

~~1-0855~~ ~~21-0137~~ ✓  
 Wilson, O. L. 120 inches. June 10, 1887. Fall River.

~~1-0855~~ ~~22-0584~~ ✓  
 Wilson, William. 160 inches. June 1, 1898. Trail Creek.

~~1-0855~~ ~~22-0585~~ ✓  
 Windmill, Richard, and Richard Withers and Oscar B. Young. 434 inches. Apr. 1, 1898. Teton River (Eckersell Canal)

~~1-0855~~ ~~22-0586~~ ✓  
 Windmill, Richard and Richard Withers and Oscar B. Young. 216 inches. May 31, 1885. Teton River (Eckersell Canal.)

Winger, Harold Wyoming & Darby Bench  
 Canal Company.

Wintle, George B. Trego Ditch Company.

Withers, Richard (See Richard Windmill et al.)

~~1-0855~~ ~~22-0587~~ ✓  
 Withrick, Caroline. June 1, 1904. Undivided 1/4 of  
 Paradise Springs.

~~1-0855~~ ~~22-0588~~ ✓  
 Wolf Ditch Company. 2,335 inches. Apr. 1, 1898. Teton River.

~~1-0855~~ ~~22-0589~~ ✓  
 Wolf Ditch Company. 1,265 inches. June 1, 1884. Teton River.

~~1-0855~~ ~~25-0230~~ ✓  
 Wood Live Stock Company. 640 inches. Oct. 11, 1901. Bear Trap Creek.

~~1-0855~~ ~~22-0590~~ ✓  
 Wood, Samuel L. 160 inches. June 1, 1893. Mahogany Creek.

Wood, Samuel

N $\frac{1}{2}$  of SW $\frac{1}{4}$ , and SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 1, and  
NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 12, T. 4 N., R.,  
47 E., B. M.,

Woodhouse,  
Wilford

S $\frac{1}{2}$  of SW $\frac{1}{4}$ , and S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 30, T.  
3 N. R., 37 E., B. M., containing  
160 acres.

Woodmansee, C. H.

E $\frac{1}{2}$  of Sec. 15, W $\frac{1}{2}$  of Sec. 13, and Sections  
10, 11, 14, and 23, T. 5 N., R., 40  
E., B. M.,

Woodmansee,  
Charles H.

W $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec. 14, S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec.  
11, S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 10, NW $\frac{1}{4}$  of Sec.  
14, N $\frac{1}{2}$  of SE $\frac{1}{4}$ , and N $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec.  
14, and S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 11, T. 6 N.,  
R 40 E., B. M. Also, SE $\frac{1}{4}$  of Sec. 10,  
S $\frac{1}{2}$  of S $\frac{1}{2}$  of Sec. 11, W $\frac{1}{2}$  of NE $\frac{1}{4}$  of  
Sec. 14, NW $\frac{1}{4}$  of Sec. 14, and N $\frac{1}{2}$  of S $\frac{1}{2}$   
of Sec. 14, T. 6 N., R., 40 E. B. M.

Wood, Frank

S $\frac{1}{2}$  of NE $\frac{1}{4}$ , and S $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 8, T.  
6 N., R., 45 E., B. M., containing  
160 acres.

Woods, William S.

Lot 1 and NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 31, SE $\frac{1}{4}$  of  
SW $\frac{1}{4}$ , SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , and Lot 4 of Sec.  
30 T. 5 N. R., 45 E., B. M.,

Woodville Canal  
Company, The

Lands of stockholders of said company and  
the users of water from said company,  
the description of said lands and the  
names of said stockholders and users  
of water not being given in the  
pleadings of said company.

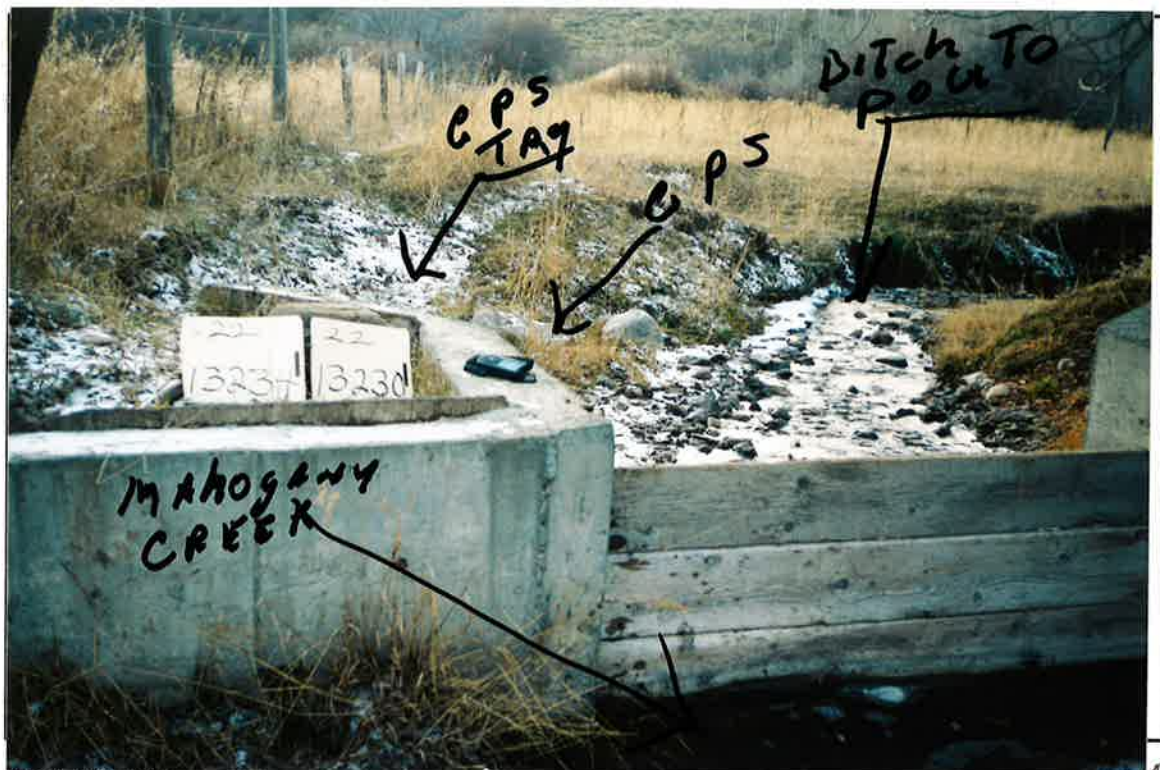
Wuthrien,  
Parolina

S $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec. 13, and NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ,  
and NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 30, T. 4 N., R.  
45 E., B. M., containing 160 acres.

Wyoming & Darby  
Canal  
Company, Limited, The

Lands of stockholders of said company, sit-

Water Right No(s). A22 13234



GPS DATA:

Tag # AD 013802 Location: 0724950 0290734 11-T-3

Diversion Data:

Source: Mahogany Creek Trib to: Teton River

MOTOR

Make: ditch pump Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

PUMP

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

NOTES:

Flood & Sprinkle water is diverted out  
of Mahogany Creek into ditch & to pump into  
main line & in to wheel & hand line. Other  
Rights used A22 13229, A22 13233

Field Exam Date: 6-4-04 Agent: Nick Chen

11-19-04 2nd. CPS

|     |                                                                                       |  |
|-----|---------------------------------------------------------------------------------------|--|
| 101 | Waddell, Mrs. L. E.; Sept. 1, 1891; Teton Creek                                       |  |
| 104 | Grand Teton Canal Co.; May 1, 1892; Teton Creek. (Diverted in Wyoming)                |  |
| 105 | Edlefsen, Noah C.; June 1, 1892; Leigh Creek                                          |  |
| 105 | Walton, George; June 1, 1892; Paradise Creek                                          |  |
| 105 | Gjellrup, Carl; June 1, 1892; Darby Creek                                             |  |
| 105 | Gilbert, Albert; June 1, 1892; Horse Shoe Creek                                       |  |
| 105 | Ricks, Josiah; June 1, 1892; North Leigh Creek                                        |  |
| 105 | Siddoway Irrigation & Manufacturing Co.; June 1, 1892; Teton River                    |  |
|     | From July 1st of each year for the balance of the irrigation season                   |  |
| 105 | Todd, John; June 1, 1892; Darby Creek                                                 |  |
| 105 | Todd, Henry M.; June 1, 1892; Darby Creek                                             |  |
| 107 | Davidson, L. S.; July 26, 1892; Darby Creek                                           |  |
| 111 | Bettis, Alice, and Joseph; May 1, 1893; Trail Creek                                   |  |
| 111 | Bigler, Jesse E.; May 1, 1893; Moody Creek                                            |  |
|     | To be reduced to 160 inches after June 20th in each year                              |  |
| 112 | Jones, Benjamin; June 1, 1893; Trail Creek                                            |  |
| 112 | Thomas, Henry E.; June 1, 1893; no stream proved...                                   |  |
| 112 | Wood, Samuel L.; June 1, 1893; Mahogany Creek                                         |  |
| 112 | Young, Eva H., widow of Eugene H. Young (deceased); June 1, 1893; Warm Creek          |  |
| 112 | Gale, Joseph; June 1, 1893; South Leigh and Swamp Creek                               |  |
| 112 | Gordon, S. A.; June 1, 1893; South Leigh Creek                                        |  |
| 112 | Eddington, George; June 1, 1893; Teton Creek                                          |  |
| 116 | Stephens, N. H.; May 1, 1894; Trail Creek                                             |  |
| 117 | Sinclair, D. R.; June 1, 1894; Trail Creek                                            |  |
| 117 | Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); June 1, 1894; Warm Creek |  |
| 117 | Ricks, Alfred; June 1, 1894; Moody Creek                                              |  |
|     | To be reduced to 100 inches after June 20th of each year                              |  |
| 117 | Ricks, John; June 1, 1894; Trail Creek                                                |  |
| 117 | Ricks, Alfred; June 1, 1894; Teton River                                              |  |
| 117 | Hatch, Hyrum; June 1, 1894; Trail Creek                                               |  |
| 117 | Moffat, John P.; June 1, 1894; Swamps                                                 |  |
| 117 | Gale, Joseph; June 1, 1894; South Leigh and Swamp Creek                               |  |
| 117 | Christensen, Niels C.; June 1, 1894; Fox Creek                                        |  |
| 117 | Blattner, Rudolph; June 1, 1894; Darby Creek                                          |  |
| 117 | Ellis, A. J.; June 1, 1894; Darby Creek                                               |  |
| 118 | Eynon, L. L.; June 15, 1894; Spring Creek, a tributary of Pine Creek                  |  |
| 119 | Kirsley, Richard; June 30, 1894; Trail Creek                                          |  |
| 120 | Frye, John; July 1, 1894; Trail Creek                                                 |  |
| 128 | Durney, P. S.; May 15, 1895; Little Warm Creek                                        |  |
| 129 | Adams, E. G.; June 1, 1895; no stream proved...                                       |  |
| 129 | Ashmead, Charles; June 1, 1895; Teton Creek                                           |  |
| 129 | Bush, Sarah M.; June 1, 1895; Teton Creek                                             |  |
| 129 | Caldwell, Moroni; June 1, 1895; Pack Saddle Creek                                     |  |
| 129 | Hermann, C. M.; June 1, 1895; Teton Creek                                             |  |
| 129 | Moffat, Mary A.; June 1, 1895; Leigh Creek                                            |  |
| 129 | Moffat, Andrew; June 1, 1895; South Leigh Creek and Swamps                            |  |
| 129 | Ingram, Thomas H.; June 1, 1895; Darby Creek                                          |  |
| 129 | Lauritzen, John; June 1, 1895; Spring Creek                                           |  |
| 129 | Kimball, Archie R.; June 1, 1895; Trail Creek                                         |  |

200

6,360

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150

100

150

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160

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160

|     |                                                                                      |  |
|-----|--------------------------------------------------------------------------------------|--|
| 129 | Kay, James; June 1, 1895; Trail Creek                                                |  |
| 129 | Parker, B. F.; June 1, 1895; Fox Creek                                               |  |
| 129 | Nordval, C.; June 1, 1895; Darby Creek                                               |  |
| 131 | Spencer, Charles; June 15, 1895; Trail Creek                                         |  |
| 131 | Costello, C. A.; June 15, 1895; Pine Creek                                           |  |
| 131 | Costello, C. A.; June 15, 1895; Spring Creek                                         |  |
| 132 | Tonks, George M.; July 15, 1895; Trail Creek                                         |  |
| 138 | Beard, James T.; Apr. 1, 1896; Teton River                                           |  |
| 138 | Huskinson, William J.; Apr. 1, 1896; Teton River                                     |  |
| 138 | Smith, Albert; Apr. 1, 1896; Trail Creek                                             |  |
| 138 | Smith, Albert; Apr. 1, 1896; Little Warm Creek                                       |  |
| 140 | Blair, J. J.; May 1, 1896; Spring Creek                                              |  |
| 142 | Stahn, Emil A.; May 15, 1896; Spring Creek                                           |  |
| 142 | Moulton, Charles; May 15, 1896; Fox Creek                                            |  |
| 142 | Moulton, George F.; May 15, 1896; Fox Creek                                          |  |
| 143 | Edwards, Andrew; June 1, 1896; Trail Creek                                           |  |
| 143 | Blair, Ed. F.; June 1, 1896; Trail Creek                                             |  |
| 143 | Avery, Talitha C.; June 1, 1896; Trail Creek                                         |  |
| 143 | Allen, Charles A.; June 1, 1896; Trail Creek                                         |  |
| 143 | Barnes, Charles W.; June 1, 1896; Trail Creek                                        |  |
| 143 | Bush, George W.; June 1, 1896; Fox Creek                                             |  |
| 143 | Bush, George W.; June 1, 1896; Fox Creek                                             |  |
| 143 | Buxton, John; June 1, 1896; Mahogany Creek                                           |  |
| 143 | Buxton, Lucy, Adminx. Estate of Joseph Buxton (deceased); June 1, 1896; Spring Creek |  |
| 143 | Crandall, Ira.; June 1, 1896; Darby Creek                                            |  |
| 143 | Hamblin, Kate; June 1, 1896; Trail Creek                                             |  |
| 143 | Hamblin, Joseph R.; June 1, 1896; Trail Creek                                        |  |
| 143 | Griggith, Henry; June 1, 1896; Trail Creek                                           |  |
| 143 | Hendrickson, Alvira E.; June 1, 1896; South Leigh Creek                              |  |
| 143 | Hansen, Andrew C.; June 1, 1896; Teton Creek                                         |  |
| 143 | Hanks, Harriet A.; June 1, 1896; North Leigh Creek                                   |  |
| 143 | Robertson, A. I.; June 1, 1896; Springs on place                                     |  |
| 143 | Moffat, John P.; June 1, 1896; Swamps                                                |  |
| 143 | Lauritzen, John; June 1, 1896; Pine Creek                                            |  |
| 143 | Ricks, Effie E.; June 1, 1896; Trail Creek                                           |  |
| 143 | Rice, A. L.; June 1, 1896; Patterson Creek                                           |  |
| 143 | Rice, A. L.; June 1, 1896; Patterson Creek                                           |  |
| 143 | Peterson, A. L.; June 1, 1896; Darby Creek                                           |  |
| 143 | Peterson, Chris; June 1, 1896; Trail Creek                                           |  |
| 143 | Humbull, Olive A.; June 1, 1896; Trail Creek                                         |  |
| 143 | Stone, Henry J.; June 1, 1896; Fox Creek                                             |  |
| 143 | Sherman, William D.; June 1, 1896; Trail Creek                                       |  |
| 143 | Walton, Dania; June 1, 1896; Darby Creek                                             |  |
| 143 | Victor Town Site; June 1, 1896; Trail Creek                                          |  |
| 143 | Vail, J. R.; June 1, 1896; Fox Creek                                                 |  |
| 143 | Taylor, Jackson C.; June 1, 1896; South Leigh Creek                                  |  |
| 143 | Letham, John; June 1, 1896; North Leigh Creek                                        |  |
| 143 | Murphy, Thomas E.; June 1, 1896; Darby Creek                                         |  |
| 143 | Larson, Peter; June 1, 1896; Darby Creek                                             |  |
| 143 | Larsen, K. M.; June 1, 1896; Darby Creek                                             |  |
| 143 | Larsen, A. C.; June 1, 1896; Darby Creek                                             |  |
| 143 | Kimball, R. C. and A. L.; June 1, 1896; Fox Creek                                    |  |
| 143 | Johnson, W. R.; June 1, 1896; Trail Creek                                            |  |
| 143 | Penfold, Farley; June 1, 1896; Fox Creek                                             |  |
| 143 | Paseor, E.; June 1, 1896; Darby Creek                                                |  |
| 144 | Pascoe, W. R.; June 15, 1896; Darby Creek                                            |  |
| 145 | Larson, Andrew; July 1, 1896; Lauritzen Spring                                       |  |
| 145 | Frye, John; July 1, 1896; Trail Creek                                                |  |
| 147 | Eames, John S.; July 15, 1896; Teton River                                           |  |

144

11

51

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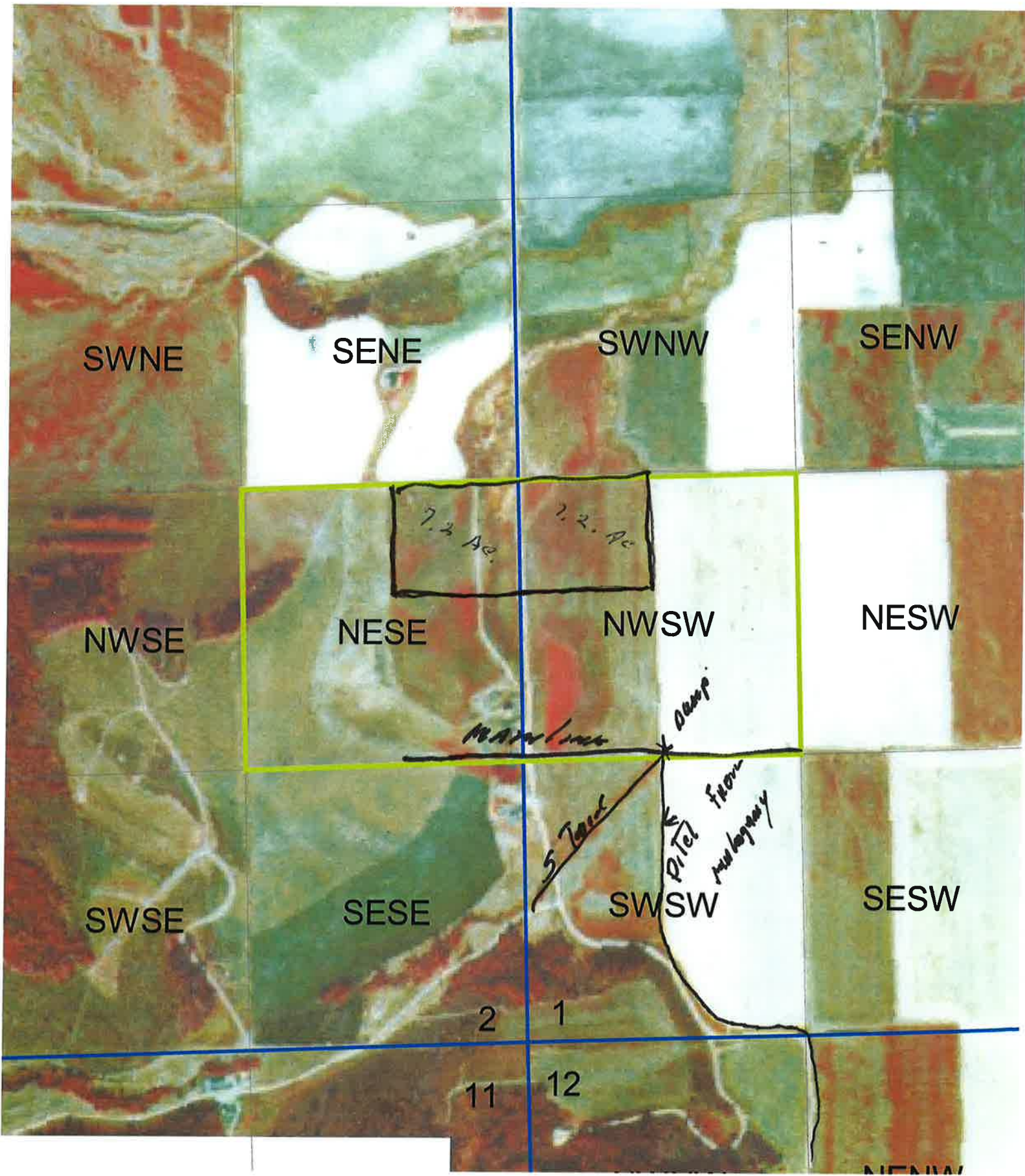
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140

25

# 22-13234





State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 6, 2002

THOMAS & LEXI HILL  
123 S 500 W  
DRIGGS ID 83422

RE: CORRECTION OF DATA ENTRY ERRORS ON WATER RIGHTS 22-13232, 22-13234

Dear Mr. & Mrs. Hill:

I have corrected the errors on made on the above referenced daims per your request.  
Please replace your copies with the enclosed corrected copies.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree  
Technical Records Specialist

Enclosure



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 19, 2002

THOMAS & LEXIE HILL  
123 S 500 W  
DRIGGS ID 83422

RE: CHANGE IN OWNERSHIP FOR 22-26, 22-27, 22-590B

Dear Mr. & Mrs. Hill:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

22-26:

22-13229, 116.59 acres, 1.42 cfs, Edwin & Toni Hill

22-13230, 14.41 acres, 0.18 cfs, Thomas & Lexi Hill

22-27:

22-13231, 116.59 acres, 0.72 cfs, Edwin & Toni Hill

22-13232, 14.41 acres, .08 cfs, Thomas & Lexi Hill

22-590B:

22-13233, 116.59 acres, 0.72 cfs, Edwin & Toni Hill

22-13234, 14.41 acres, .08 cfs, Thomas & Lexi Hill

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree  
Technical Records Specialist

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

RECEIVED

MAR 15 2002

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, 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 |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>A22-00590 B</u>    | <u>X</u>                     |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) are 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)

Edwin C. Hill or Toni Jean Hill  
178 So. 600 W. Driggs, ID 83422

4. New Owner/Claimant(s)

Thomas E. Hill and/or Lexie G. Hill

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

New Mailing Address

123 So. 500 W.

City, State and ZIP Code

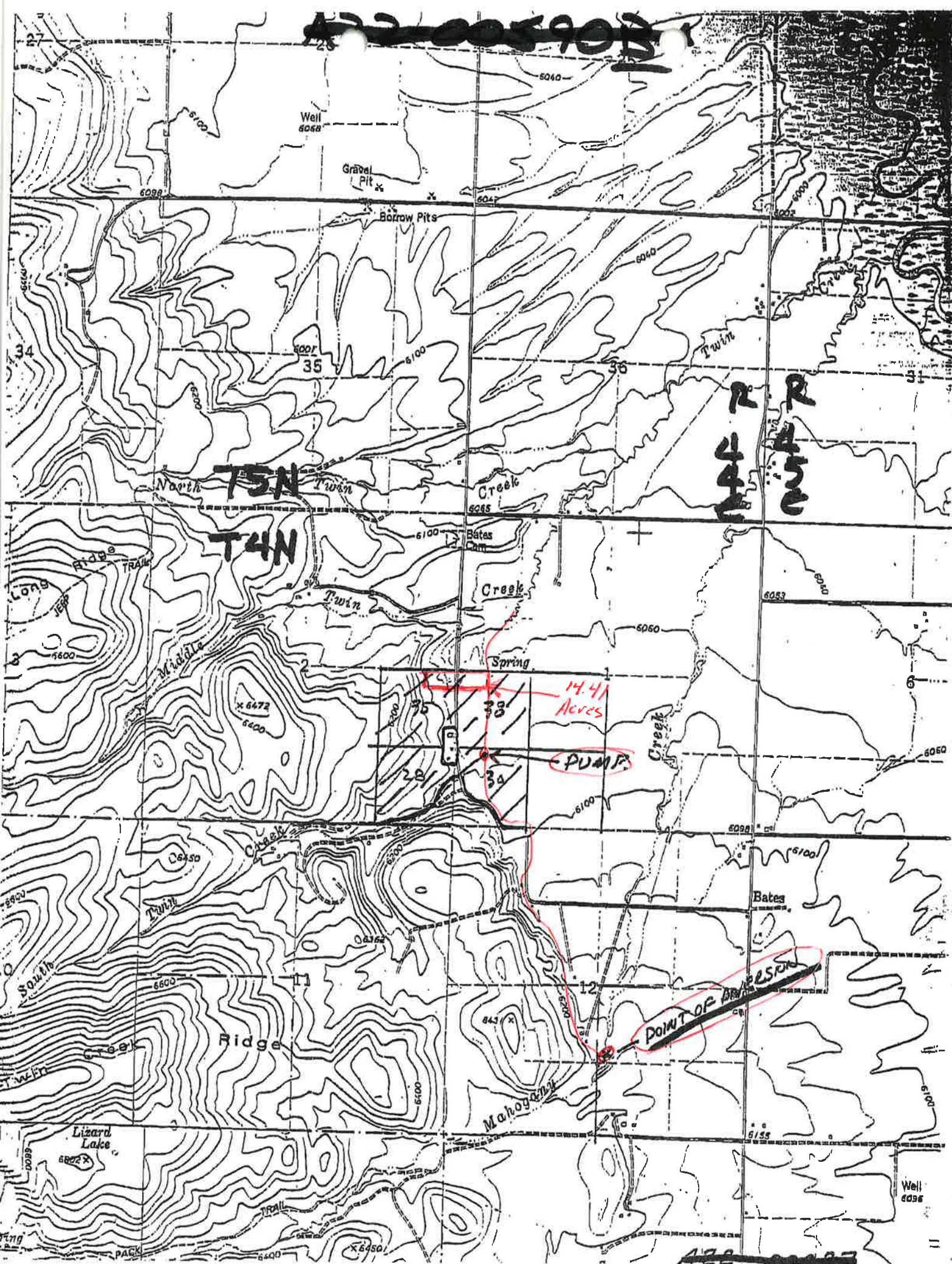
Driggs, ID 83422

New Telephone Number

(208) 354-2450

5. Date you acquired the property

Jan. 31, 2002



**RECEIVED**

JAN 31 2002

TETON CO. ID  
CLERK RECORDER

146547

**WARRANTY DEED**

Instrument # 146547

DRIGGS, TETON, IDAHO

2002-01-31

02:13:13 No. of Pages: 3

Recorded for: TOM HILL

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy *M. Dean*

Index to: DEED, WARRANTY

THIS INDENTURE is made this 31 day of January, 2002, by Clintonia Jean Hill, a single woman, the Grantor, and Thomas Edwin Hill and Lexie G. Hill, husband and wife, the Grantee, whose mailing address is 123 South 500 West, Driggs, Idaho, 83422.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, an undivided thirty percent (30%) interest in the following described property in the County of Teton, State of Idaho, to-wit:

A PART OF SECTIONS 1 AND 2, TWP. 4N., RNG. 44E., B.M., TETON COUNTY, IDAHO,

BEING FURTHER DESCRIBED AS:

COMMENCING AT THE W 1/4 CORNER OF SAID SECTION 1;

THENCE S 89°34'03"E, 590.02 FEET ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 1 TO A POINT;

THENCE SOUTH, 497.35 FEET TO A POINT;

THENCE WEST, 1254.72 FEET TO A POINT;

THENCE NORTH, 500.27 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 2;

THENCE N 89°52'05"E, 664.72 FEET ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 2 TO THE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT BEING 30 FEET ON EACH SIDE OF THE EXISTING COUNTY ROAD CENTERLINE.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the

Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

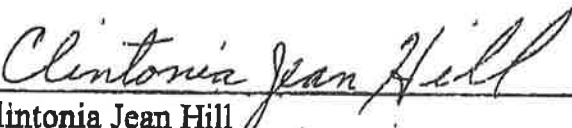
In construing this Warranty Deed and where the context so requires, the singular includes the plural.

Restrictions.

1. The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article VII, Section 1-7-16: One Time Only Split of One Parcel of Land, June 14, 1999.
2. Upon compliance with applicable laws, ordinances and regulations, this parcel may be divided into two parcels, with no additional subdivision allowed.
3. If this parcel is divided, only one single family dwelling may be constructed on each subdivided parcel. If the parcel is not subdivided, only one single family dwelling and a guest home may be constructed on such parcel.

Grantor retains a thirty (30) foot easement from the county road running east along the northern boundary. This easement is for the benefit of the grantor and the grantor's assigns, but not for any public access. Grantor and Grantor's assigns shall be responsible for all maintenance and upkeep costs with respect to said easement.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

  
Clintonia Jean Hill

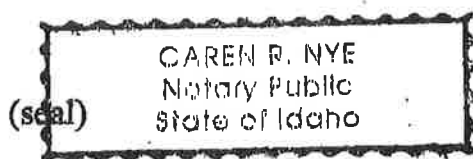
STATE OF IDAHO )

County of Teton

)ss.  
)

On this 31 day of January, 2002, before me the undersigned, a Notary Public, in and for said State, personally appeared Clintonia Jean Hill known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Caren R. Nye  
Notary Public for Idaho.  
Residing at Driggs Idaho  
My Commission Expires: 03/20/06

C:\My Documents\TOM\tem00.wd.wpd 2002 deed.fm

**RECEIVED**

JAN 03 2001

140947

TETON CO., ID  
CLERK RECORDER

**WARRANTY DEED**

THIS INDENTURE is made this 2<sup>nd</sup> day of January, 2001, by Clintonia Jean Hill, a single woman, the Grantor, and Thomas Edwin Hill and Lexie G. Hill, husband and wife, the Grantee, whose mailing address is 123 South 500 West, Driggs, Idaho, 83422.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, an undivided thirty-five percent (35%) interest in the following described property in the County of Teton, State of Idaho, to-wit:

A PART OF SECTIONS 1 AND 2, TWP. 4N., RNG. 44E., B.M., TETON COUNTY, IDAHO,

BEING FURTHER DESCRIBED AS:

COMMENCING AT THE W 1/4 CORNER OF SAID SECTION 1;

THENCE S 89°34'03"E, 590.02 FEET ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 1 TO A POINT;

THENCE SOUTH, 497.35 FEET TO A POINT;

THENCE WEST, 1254.72 FEET TO A POINT;

THENCE NORTH, 500.27 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 2;

THENCE N 89°52'05"E, 664.72 FEET ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 2 TO THE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT BEING 30 FEET ON EACH SIDE OF THE EXISTING COUNTY ROAD CENTERLINE.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the

Instrument # 140947

DRIGGS, TETON, IDAHO

2001-01-03

03:57:31 No. of Pages: 3

Recorded for: TOM HILL

NOJAN O. BOYLE

Fee: \$3.00

Ex-Officio Recorder Deputy

Index to FIRST WARRANTY

Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

Restrictions.

1. The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article VII, Section 1-7-16: One Time Only Split of One Parcel of Land, June 14, 1999.

2. Upon compliance with applicable laws, ordinances and regulations, this parcel may be divided into two parcels, with no additional subdivision allowed.

3. If this parcel is divided, only one single family dwelling may be constructed on each subdivided parcel. If the parcel is not subdivided, only one single family dwelling and a guest home may be constructed on such parcel.

Grantor retains a thirty (30) foot easement from the county road running east along the northern boundary. This easement is for the benefit of the grantor and the grantor's assigns, but not for any public access. Grantor and Grantor's assigns shall be responsible for all maintenance and upkeep costs with respect to said easement.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

  
Clintonia Jean Hill

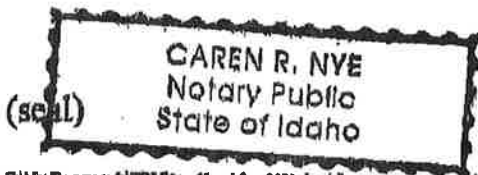
STATE OF IDAHO )

County of Teton

)ss.  
)

On this 2 day of January, 2001, before me the undersigned, a Notary Public, in and for said State, personally appeared Clintonia Jean Hill known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



D:\My Documents\TDM\atom01.wd.doc 2001 doc.doc

  
Notary Public for Idaho,  
Residing at Shipp, Idaho  
My Commission Expires: 03/20/06

140859

RECEIVED

DEC 27 2000

WARRANTY DEED

TETON CO., ID  
CLERK RECORDER

THIS INDENTURE is made this 26 day of December, 2000, by Clintonia Jean Hill, a single woman, the Grantor, and Thomas Edwin Hill and Lexie G. Hill, husband and wife, the Grantee, whose mailing address is 123 South 500 West, Driggs, Idaho, 83422.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, an undivided thirty-five percent (35%) interest in the following described property in the County of Teton, State of Idaho, to-wit:

A PART OF SECTIONS 1 AND 2, TWP. 4N., RNG. 44E., B.M., TETON COUNTY, IDAHO,

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THENCE N 89°52'05"E, 664.72 FEET ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 2 TO THE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT BEING 30 FEET ON EACH SIDE OF THE EXISTING COUNTY ROAD CENTERLINE.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the

140859

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IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Clintonia Jean Hill  
Clintonia Jean Hill

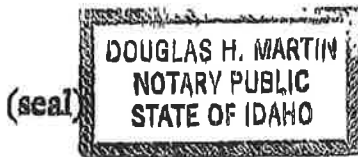
STATE OF IDAHO )

County of Teton

)ss.  
)

On this 27<sup>th</sup> day of December, 2000, before me the undersigned, a Notary Public, in and for said State, personally appeared Clintonia Jean Hill known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

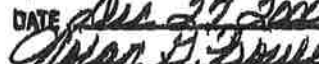
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



  
Notary Public for Idaho  
Residing at 2279 S. Idaho 83422  
My Commission Expires: 8-28-2004

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140859

FILED  
AT THE REQUEST OF  
  
AT 16 MINUTES PAST 10 A.M.  
DATE Dec 27 2000  
  
CLERK OF RECORD  
BY  DEPUTY

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 22-13234  
Date Received: 4/18/2002  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LEXIE G HILL Phone: (208)354-2450  
123 S 500 W  
DRIGGS ID USA 83422

THOMAS E HILL Phone: (208)354-2450  
123 S 500 W  
DRIGGS ID USA 83422

2. Date of Priority: 06/01/1893

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04N      | 44E   | 12      | NW SE                 | TETON  |      |

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH PUMP TO SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From To     | C.F.S. | (or) A.F.A |
|------------|-------------|--------|------------|
| IRRIGATION | 04/15 10/15 | 14.41  |            |

7. Total Quantity Appropriated is:

~~14.41 C.F.S.~~

8. Total consumptive use:

9. Non-irrigation uses:

*1.08 cfs*  
*data entry error*  
*6-6-02*

A2213234



10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 04N      | 44E   | 1       | SE         | SE  | IRRIGATION    | 6.44  |
|          |       |         |            |     | Section Acres | 6.44  |
| 04N      | 44E   | 2       | NE         | SE  | IRRIGATION    | 7.97  |
|          |       |         |            |     | Section Acres | 7.97  |
|          |       |         |            |     | Total Acres   | 14.41 |

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 RIGHT IS A SPLIT FROM FORMER RIGHT 22-590B

15. Basis of Claim: Decreed

# Thomas & Lexie Hill

