IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-13262

WATER RIGHT NUMBER: 22-13262

A2213262

Owner Type	Name and Address
Original Owner	LESLIE J MEAD PO BOX 239 TETONIA, ID 83452 (307) 576-2300
Original Owner	PETER BRADFORD MEAD PO BOX 239 TETONIA, ID 83452 (307) 576-2300
Original Owner	MUFFY E FERRO PO BOX 239 TETONIA, ID 83452 (307) 576-2300
Current Owner	SAJ LLC C/O JOHN D OR PATRICIA MERRILL PO BOX 459 DRIGGS, ID 83422 (208)354-3422

Priority Date: 05/09/1978

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	04/15	10/31	0.130 CFS	33.50 AF
		Total Diversion:	0.130 CFS	33.50 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 11, Twp 05N, Rge 44E, B.M.

TETON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	44E	11						9.5											9.5

Total Acres: 9.5

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-13262

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Remarks:

Comments:

1. pskaggs 7/23/2003 3:55:34 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 70393

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

07/28/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13262

NAME AND ADDRESS: SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.130 CFS
33.500 AFY

PRIORITY DATE: 05/09/1978

POINT OF DIVERSION:

T05N R44E S11 NWNWNW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.130 CFS 33.50 AFY

PLACE OF USE: IRRIGATION Within TETON County

T05N R44E S11 NWNW 9.5

9.5 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 - License

This right is a split from original right 22-7279.

Idaho Department of Water Resources

SRBA Recommendation:

22-13262

(Irrigation)

R44E

T05N

Legend

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

Teton County
IDWR Basin 22

N

0 0.1 0.2 Miles

Prepared by J. Crabtre
On Wednesday, November 22, 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

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 2, 2007

DAVID H HAAR & KATHLEEN A BRANHAM-HAAR
317 VINEYARD LN
CARLSBAD NM 88220

RE: Notice of Change of Water Right Ownership (NCO) for 22-13262 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On July 23, 2007 the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

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

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

Respectfully,

Jonie Barg

Jonie Barg
Office Specialist II

Enclosure

cc: SAJ LLC

SCANNED
SEP 13 2007

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

In Re SRBA	)	**Water Rights:** 22-13262
	)	
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding:

[] Address change

[X] Substitution of Party SAJ LLC-HAAR & BRANHAM-HAAR

[] 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: 30 Aug. 2007

Ernest Carlson.
Signature of IDWR Representative

SCANNED
SEP 13 2007

CERTIFICATE OF MAILING

I certify that on Aug 31, 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:
   SAJ LLC
   C/O John D & Patricia Merrill
   PO Box 459
   Driggs ID 83422

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:
   David Haar & Kathleen A Branham-Haar
   317 Vineyard Ln
   Carlsbad NM 88220

4. One copy to:
   Each party in the subcase, or attorney of record

5. One copy each to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

6. One Copy to:
   United States Dept of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Signature of person or attorney mailing the form

SCANNED SEP 13 2007

08/02/2007

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

RIGHT NUMBER: 22-13262

NAME AND ADDRESS: KATHLEEN A BRANHAM-HAAR
317 VINEYARD LN
CARLSBAD NM 88220

DAVID H HAAR
317 VINEYARD LN
CARLSBAD NM 88220

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.130 CFS
33.50 AFY

PRIORITY DATE: 05/09/1978

POINT OF DIVERSION: T05N R44E S11 NWNWNW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.130 CFS 33.50 AFY

PLACE OF USE: IRRIGATION in TETON County

T05N R44E S11 NWNW 9.50

9.5 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 - License

This right is a split from original right 22-7279.

SCANNED
SEP 13 2007

Form 42-248/42-1409(6) 12/ 2006

RECEIVED
JUL 2 3 2007
Department of Water Resources
Eastern Region

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 IDWR will produce new water right number(s) for the split(s).

ADS

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-13262					
needs NGAP					

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

   A. The appropriate **FILING FEE**. See instructions for fee amounts.

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

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

   OR

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

3. Name and Address of Former Owner/Claimant(s): John D. and Patricia Merrill/SAJ, LLC
   P.O. Box 459, Driggs, ID 83422

4. New Owner/Claimant(s): David H. Haar and Kathleen A. Branham-Haar
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 317 Vineyard Lane

   City, State and ZIP Code: Carlsbad, NM 88220

   New Telephone Number: (505) 885-3368

SCANNED
SEP 1 3 2007

5. Date you acquired the property 16 September 2005

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right will not be split, skip this area and proceed to line 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

7. **Signature(s) of New Owner(s) or Claimant(s)** Kathleen Branham Haas (title if applicable)
David Harold Haas (title if applicable)

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

For IDWR Office Use Only:

Received by _____ Date _____ Receipt Amt. _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____AJ Date _____ WR _____ Date _____

SCANNED
SEP 13 2007

State of Idaho

Department of Water Resources

Eastern Region

SCANNED SEP 13 2007

Water Right(s):
22-13262

Point(s) of Diversion:
T05N R44E
Sec. 2 NWSESW

Place of Use (parts of):
T05N R44E
Sec. 11 NWNW

LEGEND

- Point of Diversion
- SESE — Place of Use
- Section
- Quarter-Quarter

N W E S

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

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

GHT NUMBER: 22-13262

ME AND ADDRESS: SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422

URCE: GROUND WATER TRIBUTARY:

ANTITY: 0.130 CFS
33.500 AFY

IORITY DATE: 05/09/1978

INT OF DIVERSION:

T05N R44E S11 NWNWNW Within TETON County

RPOSE AND
RIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.130 CF 33.50 AF

CE OF USE: IRRIGATION Within TETON County

T05N R44E S11 NWNW 9.5

9.5 ACRES TOTAL

ER 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 wa 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.

LANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from original right 22-7279.

er-X Kathleen Trenham-Haar 17 Aug 05

Owners Acknowledgment Required

SCANNED
SEP 13 2007

WARRANTY DEED

REAL & APPROVED ACCEPTED 9/16/05

Order No. 3050513948-T

FOR VALUE RECEIVED

SAJ, LLC, an Idaho Corporation

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

David H Haar and Kathleen A Branham-Haar, Husband and Wife

X David H Haar

X Kathleen Branham-Haar 16 Sept 05

whose current address is

317 Vineyard Lane, Carlsbad NM 88220

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Section 11, Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho:
N½NW¼NW¼

Subject to the following easements: A 60 foot road and utility easement along the Western boundary line; a County road easement for County Road 400 North (Packsaddle Road) along the Northern boundary line; and a 30 foot road and utility easement along the Eastern boundary line.

This conveyance shall not include existing trees and any personal property located upon the premises. Grantor reserves the right to remove any and all personal property within one year from the date of this conveyance from Grantor to Grantee. Grantor reserves access to the premises for one year from the date of this conveyance for the purpose of removing said property. Grantor shall leave the premises in good and orderly condition after removal of said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/14/2005

SAJ, LLC

John D Merrill Member

By: John D. Merrill, Member

Patricia Merrill, member

By: Patricia Merrill, Member

State of Idaho }
}ss.
County of Teton }

On this 16 day of Sept, 2005, before me, a Notary Public in and for said state, personally appeared **John D. Merill and Patricia Merrill** known or identified to me to be the **Members** in the Limited Liability Company known as **SAJ, LLC** who executed the foregoing instrument, and acknowledged to me that they executed the same in said LLC name.

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

Carla C. Jones
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/05

CARLA C. JONES
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES NOV 19, 2005

SCANNED
SEP 19 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: **www.idwr.idaho.gov**.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

   If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

   If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner/claimant(s) of the water right(s).

4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or"as indicated on your deed or other evidence of ownership

SCANNED
SEP 13 2007

5. Provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip line 6 and go to line 7**.

7. The new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is $25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is $100 per water right to be divided.

9. When complete, retain a copy and **file the original form with the IDWR office nearest you, with copies of your ownership documents and the appropriate filing fee**:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

- OR -

IDWR State Office
322 East Front St
Sixth Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

SCANNED
SEP 13 2007

03/11/2005

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: 22-13262

SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422
Telephone Number: (208)354-3422

Proportion, Location & Amount.

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
ON July 23, 2003 this right was split in 2. The new #'s are 22-3262 & 22-13263
Sec. 11 TWP 05N Rge 44E NWNW Teton County
Sec. 6 Twp 04N Rge 45E SWSE Teton County

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:
Because we split this right in 2003. The proportions are wrong as listed, & the other location is not included.

I do NOT Agree - see enclosed papers

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

DATE: 6/22/05 **SIGNATURE:** Patricia Merrill

Please print your name: Patricia Merrill

IDWR Regional Office,

Right # 22-13262 has .13 CFS & 33.5 AF 9.5 Ac
Also the point of Diversion is @ the point of use.

Right # 22-13263 has .14 CFS & 33.0 AF 9.5 Ac
The point of Diversion is @ the point of use

7/28/05
Recommendations Corrected

RECEIVED
JUN 29 2005
Department of Water Resources
Eastern Region

SCANNED
SEP 17 2007

03/11/2005

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

RIGHT NUMBER: 22-13262

NAME AND ADDRESS: SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422

SOURCE: GROUND WATER — Total Amount for this right was .27 CFS 66.5 AFY — TRIBUTARY:

QUANTITY: After Split This is 1/2 of the right
0.130 CFS
33.50 AFY

PRIORITY DATE: 05/09/1978

POINT OF DIVERSION:
T05N R44E S11 NWSESW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	0.130 CFS 33.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within TETON County

T05N R44E S11	NWNW	19.0	This should be 9.5 at this Location & another 9.5 at the other location

19 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 - License

This right is a split from former right ~~22-13186~~. not ? 22-13236

~~THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 22-7279A, 22-7279B, 22-13188, 22-13235, 22-13256, 22-13263, 22-13273, 22-13275, 22-13276.~~

This right is a split from original right 22-7279.

~~[illegible]~~

SCANNED
SEP 17 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70393

This is to certify that: JOHN DOUGLAS MERRILL Or
PATRICIA A MERRILL
PO BOX 459
DRIGGS ID 83422
(208)354-3422

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
22-13236	AJC/License	05/09/1978	0.27 cfs	66.5 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-13236	YES	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-13236	**22-13263**	0.14 cfs	33 af	N/A	9.5	**22-13262**	0.13 cfs	33.5 af	N/A	9.5
COMBINED TOTALS		**0.14 cfs**	**33 af**	**N/A**	**9.5**		N/A	N/A	N/A	N/A

Different Numbers = different rights

Detailed Water Right Description(s) attached

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau

SCANNED
SEP 17 2007

WATER RIGHT NO. 22-13262
As Modified by Transfer No. 70393

In accordance with the approval of Transfer No. 70393, Water Right No. 22-13262 is now described as follows.

Right Holder: SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422

Priority Date: May 09, 1978

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.13 CFS	33.5 AF
			0.13 CFS	33.5 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NWNW Sec. 11 Twp 05N Rge 44E TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 44E 11						9.5											9.5

Total Acres: 9.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau

SCANNED
SEP 17 2007

WATER RIGHT NO. 22-13263
As Modified by Transfer No. 70393

In accordance with the approval of Transfer No. 70393, Water Right No. 22-13263 is now described as follows.

Right Holder: PATRICIA A MERRILL Or
JOHN DOUGLAS MERRILL
PO BOX 459
DRIGGS ID 83422

Priority Date: May 09, 1978

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.14 CFS	33.0 AF
			0.14 CFS	33.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SWSE Sec. 6 Twp 04N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	6															9.5		9.5

Total Acres: 9.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau

SCANNED
SEP 17 2007

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

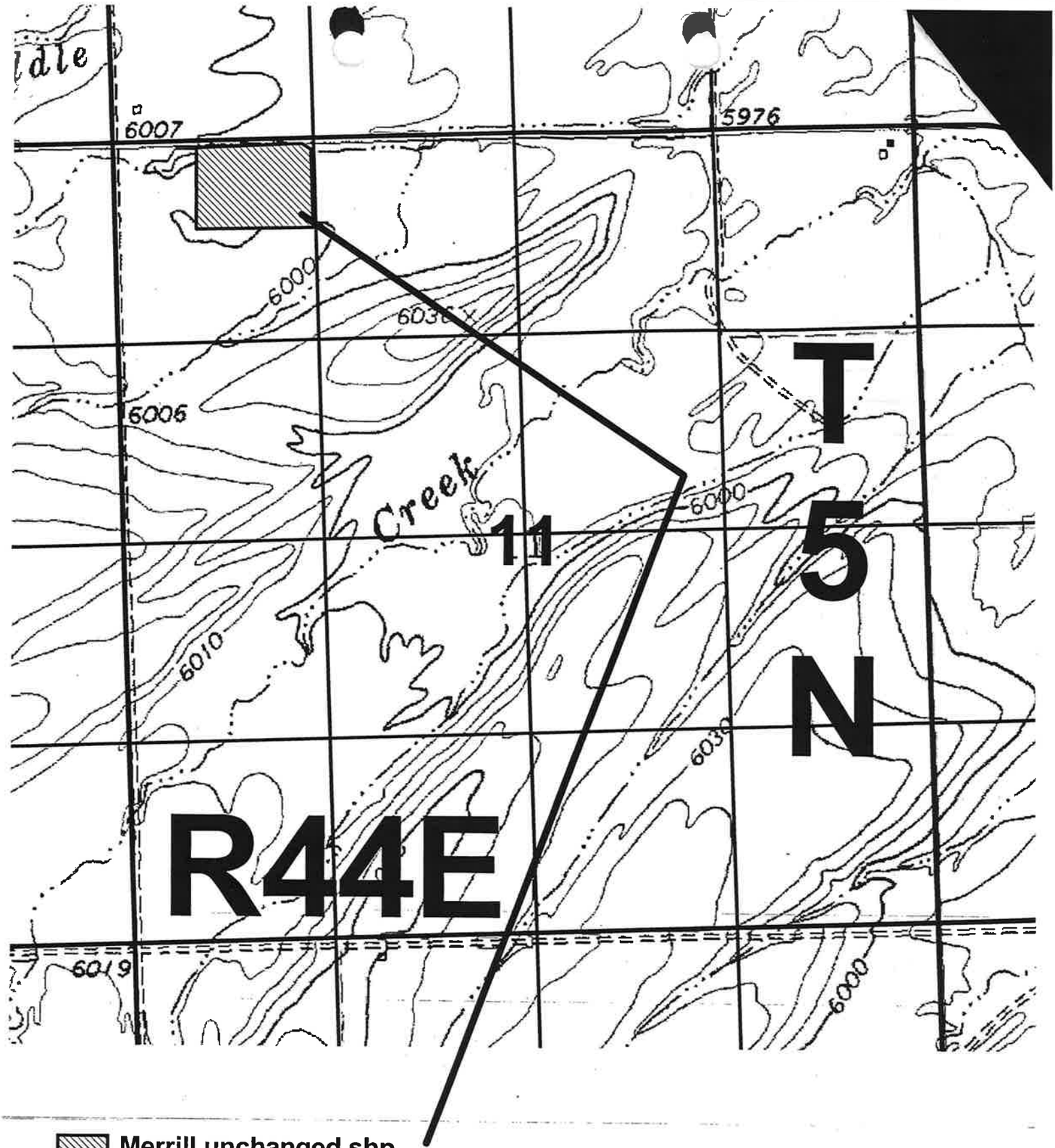
RE: TRANSFER NO. 70393

WATER RIGHTS 22-13236, 22-13262, 22-13263

SAJ LLC
C/O JOHN DOUGLAS MERRILL
PATRICIA A MERRILL
PO BOX 459
DRIGGS ID 83422

Kari Lynn Townsend
Secretary

SCANNED
SEP 17 2007



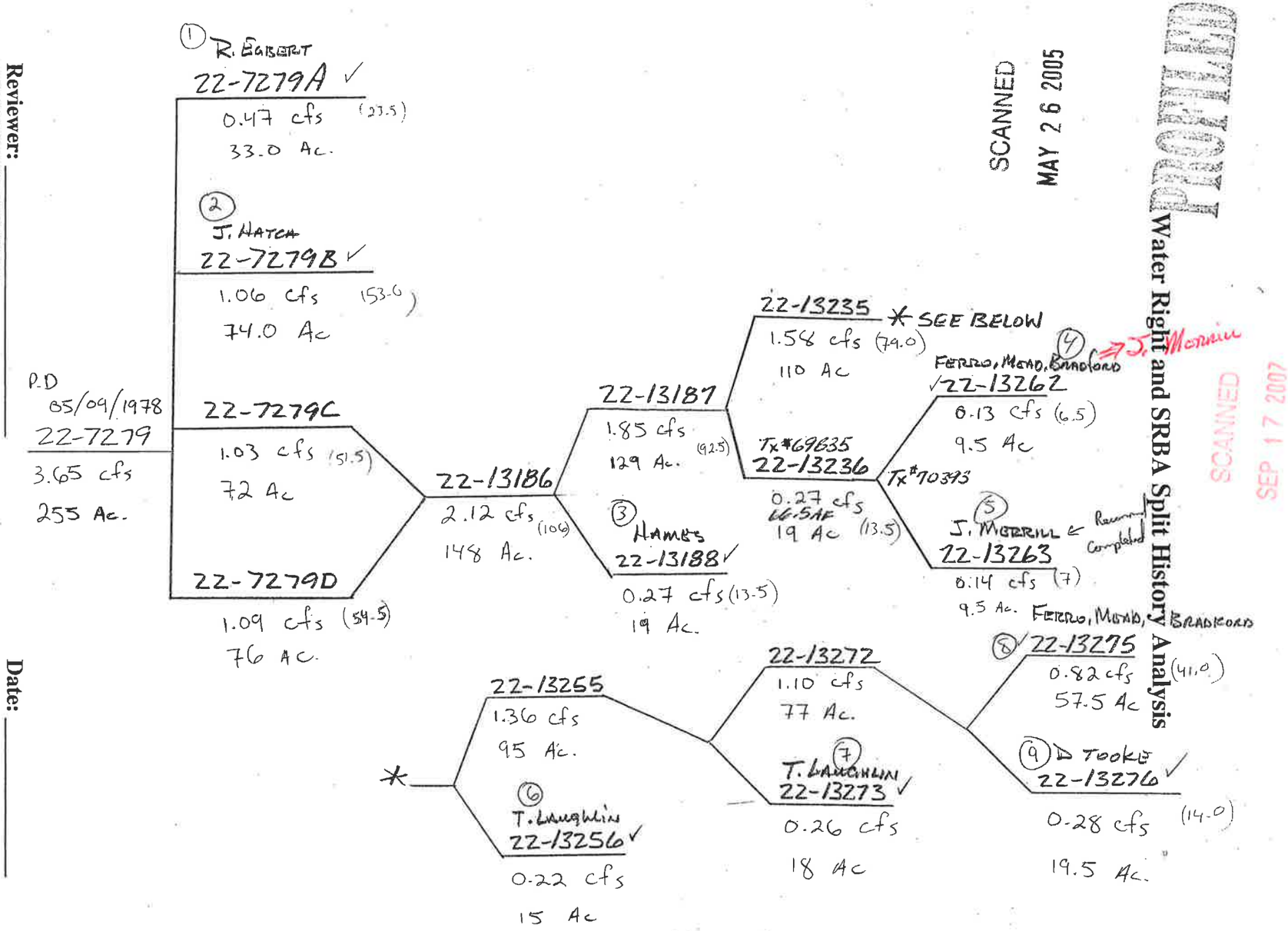
Merrill unchanged.shp
S05n44e.shp
T05n44e.shp

SCANNED
SEP 17 2007

T70393

page 7 of 8

SCANNED
MAR 13 200



13276(0.28)+13188 (0.27) + 22-7279 A (0.47) + 22-7279 B (1.06) + 13262(0.13) + 13263 (0.14) + 13256 (0.22) + 13273 (0.26) + 13275 (0.82) = 3.65 cf
33.0 74.0 9.5 9.5 15.0 18.0 57.5 = 255 Ac

IDWR Field Exam Form

02/26/2004

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip

Current Owner: SAJ Pvt. Phone No.: _____

Current Owner: J. Merrill Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Split of License 22-7279-S68 Attached Split Analysis
Tr #70393

Reviewer: _____ Date: _____

SCANNED
SEP 17 2007

IDWR Field Exam Form 02/26/2004

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 5/09/1978 Claimed Basis: Lic

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matches Licenses

Reviewer: _____ Date: _____

SCANNED
SEP 17 2007

State of Idaho

Department of Water Resources

Eastern Region

GPS tag # AD 14260
submersible pump

NO

600 0 600 1200 1800 2400 3000 3600 4200 Feet

Water Right(s): This is only 1/2 of the right.
22-13262

We moved the other 1/2 see enclosed papers

Point(s) of Diversion:
T05N R44E
~~Sec. 2 NWSESW~~
11 NWNW see enclosed sheet

Place of Use (parts of):
T05N R44E
Sec. 11 NWNW

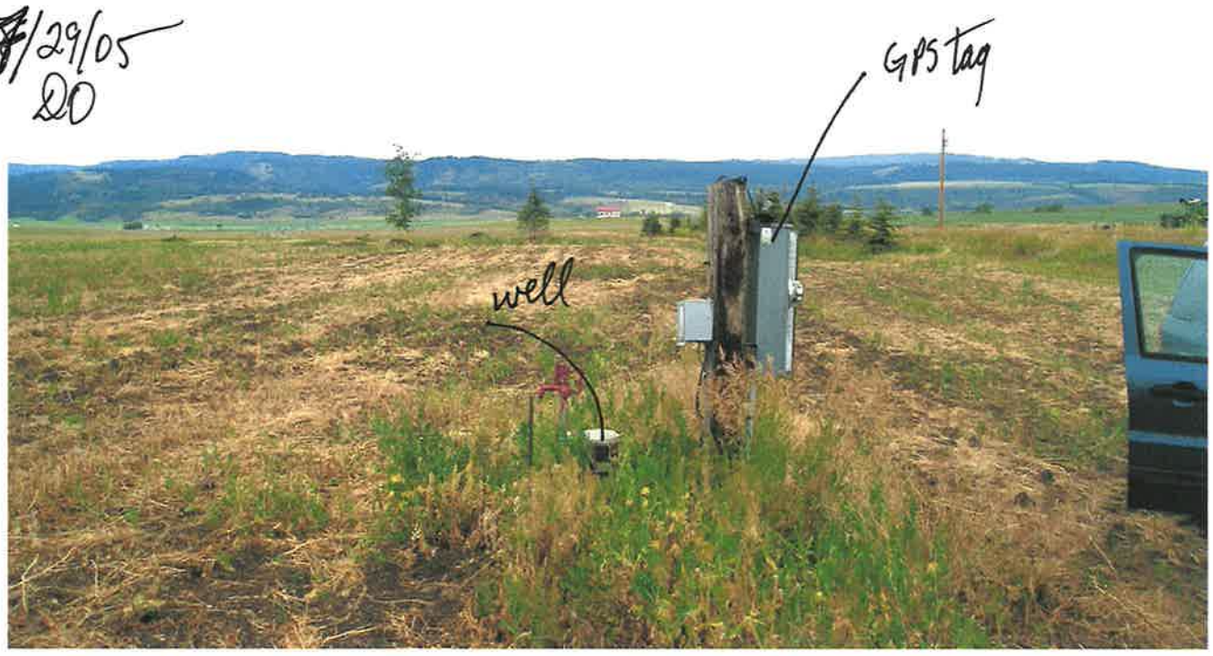
LEGEND

- Point of Diversion
- SESE — Place of Use
- Section
- Quarter-Quarter

N W E S

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

8/29/05
20



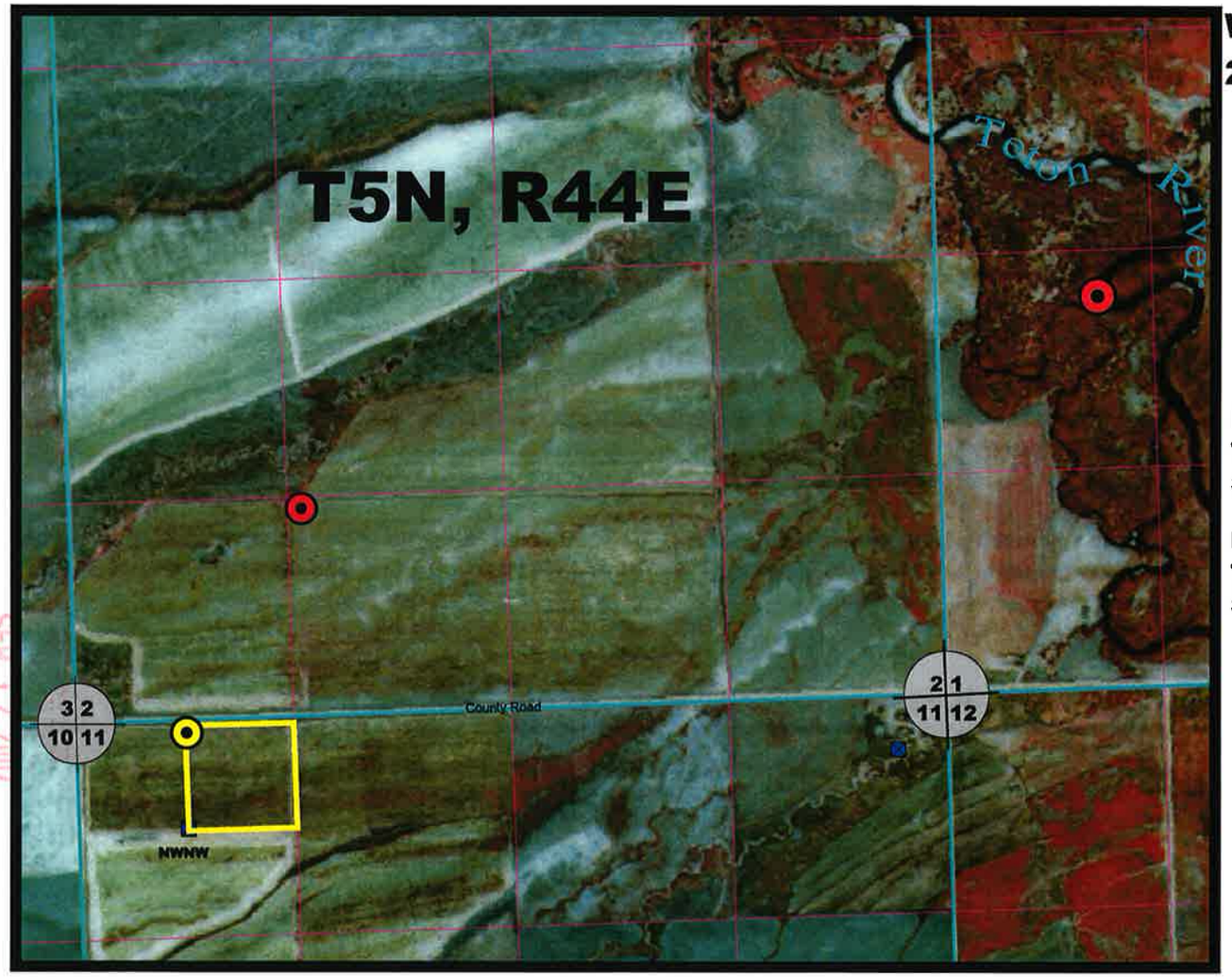
Claim A2213262 - new well with submersible pump.

SEP 17 2007

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-13262

Point(s) of Diversion:
T5N, R44E
Sec. 1 NWNWNW

Place of Use: (part of)
T5N, R44E
Sec. 11 NWNW

LEGEND

- Point of Diversion
- SESE — Place of Use
- Section
- Quarter-Quarter

N

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: July 2005

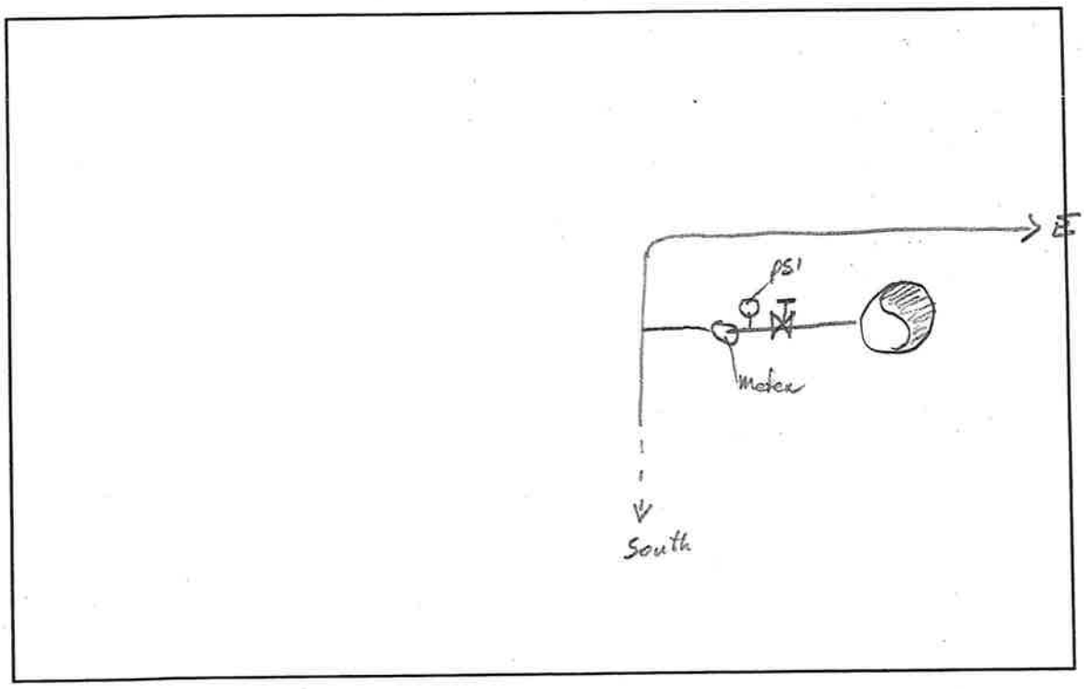
Tx #70393 moves the Rt end of this way 6/29/04 SBR

PROFILED

SCANNED

MAY 26 2005

Water Right No(s). _____



GPS DATA:

Tag # ADO 14212 Location: ON Block Panel

Diversion Data:

Source: GW Trib to: _____

MOTOR
Make: GE Model: 5X6278XH1A Hp: 200
SN: GLJ723122

PUMP
Make: Johnston Model: No Tag Disch: 10"
SN: _____

NOTES:

_____
_____
_____
_____
_____

Field Exam Date: 6/28/04 Agent: ABR

SCANNED
PROFILED
MAY 26 2005

IDWR Field Exam Form

02/26/2004

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
5N	44E	2		NWSESW	Teton	G.W.	

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
5N	44E	2		NWSESW	Teton	G.W.	

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Claims Licensed POD to Orig. Irrig

Reviewer: _____ Date: _____

SCANNED

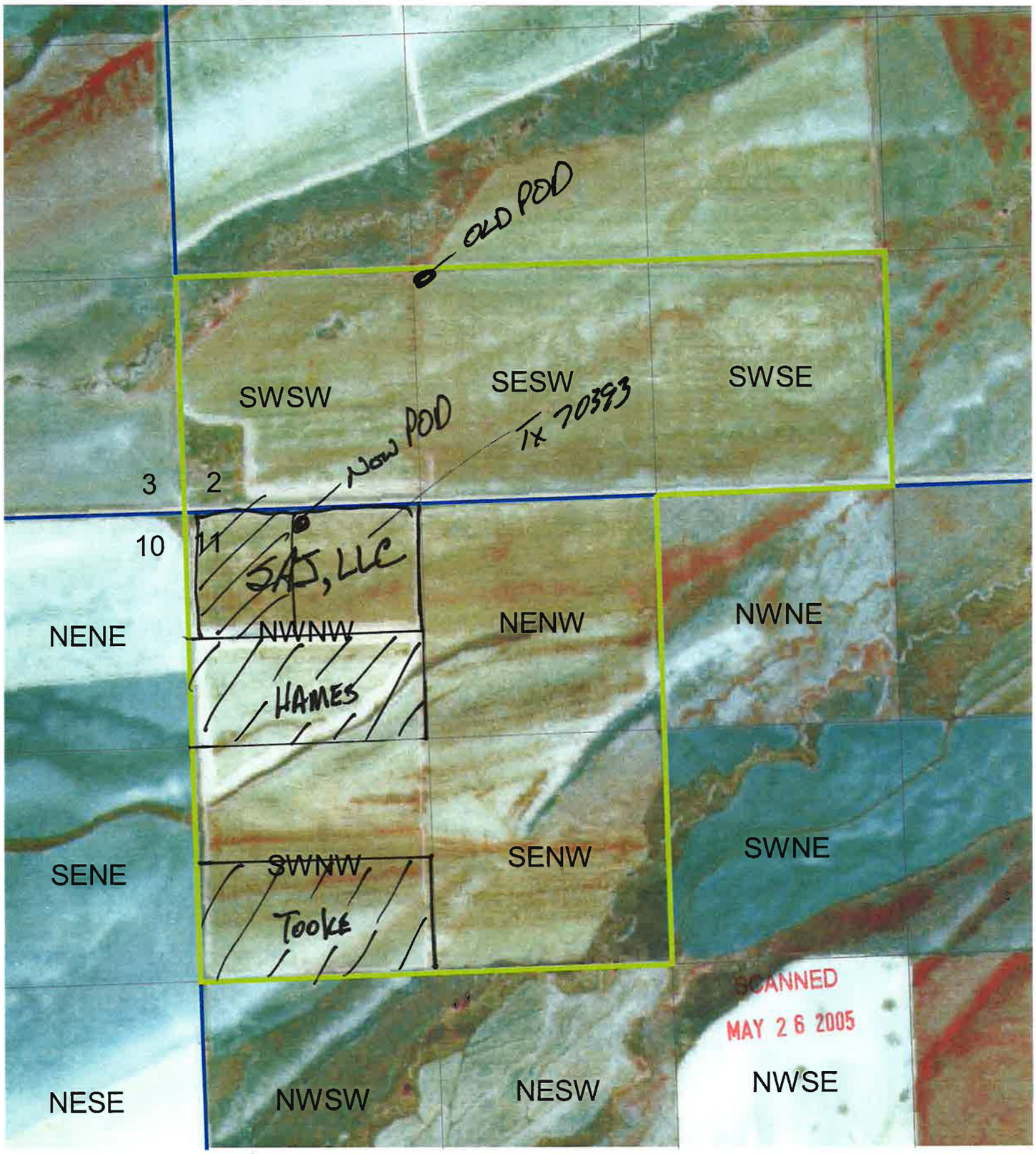
MAY 26 2005

PROFILED

PROFILE

22-13262

SCANNED
MAY 26 2005



IDWR Field Exam Form

02/26/2004

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
05N	44E	11	NW NW		Teton		9.5	Irrigation

Total acres 9.5

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acre s	Purpose of Use
05N	44E	11	NW NW		Teton		~~19~~ 9.5	Irrigation

Total acres ~~19~~ 9.5

Pending or approved Transfers: TX 70393 SPLITS TO 13262 & 13263.

Overlapping rights: _____

Document how the POU was verified:

GIS found 19 acres.

Reviewer: _____ Date: _____

PROFILED

SCANNED

MAY 26 2005

IDWR Field Exam Form

02/26/2004

Season of Use and Quantity Data Entry Form

Claim Number: 22-13262

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15	.13	33.5

Overall Diversion Rate .13 Overall Diversion Volume 33.5

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15	.13	33.5

Overall Diversion Rate .13 cfs Overall Diversion Volume 33.5

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

POR Tx #70393

Reviewer: _____ Date: _____

SCANNED
MAY 26 2005
PROFILED

EASTERN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70393

This is to certify that: JOHN DOUGLAS MERRILL Or
PATRICIA A MERRILL
PO BOX 459
DRIGGS ID 83422
(208)354-3422

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
22-13236	AJC/License	05/09/1978	0.27 cfs	66.5 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-13236	YES	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-13236	**22-13263**	0.14 cfs	33 af	N/A	9.5	**22-13262**	0.13 cfs	33.5 af	N/A	9.5
COMBINED TOTALS		**0.14 cfs**	**33 af**	**N/A**	**9.5**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13262
As Modified by Transfer No. 70393

In accordance with the approval of Transfer No. 70393, Water Right No. 22-13262 is now described as follows.

Right Holder: SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422

Priority Date: May 09, 1978

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.13 CFS	33.5 AF
			0.13 CFS	33.5 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NWNW Sec. 11 Twp 05N Rge 44E TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 44E 11						9.5											9.5

Total Acres: 9.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13263
As Modified by Transfer No. 70393

In accordance with the approval of Transfer No. 70393, Water Right No. 22-13263 is now described as follows.

Right Holder: PATRICIA A MERRILL Or
JOHN DOUGLAS MERRILL
PO BOX 459
DRIGGS ID 83422

Priority Date: May 09, 1978

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.14 CFS	33.0 AF
			0.14 CFS	33.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SWSE Sec. 6 Twp 04N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 6															9.5		9.5

Total Acres: 9.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau

1 of 8 SO 7/17/03 STATE OF IDAHO DEPARTMENT OF WATER RESOURCES Transfer No. 10393

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Applicant John D or Patricia Merrill Phone 208 354 3422

ice address P.O. Box 459 Driggs Id 83422

RPOSE OF TRANSFER

☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other

escribe the reason for the proposed changes Moving a portion of right to more productive ground

ESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

ight Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
22-13236 (PART)	5/9/1978	0.14 cfs	IRRIGATION	4/15 to 10/31
22-13263				to
				to
				to

Total amount of water being transferred 0.14 cubic feet per second and/or _____ acre-feet per annum.

Source of water GROUNDWATER tributary to _____

Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	6	4N	45E	TETON	

Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	45E	6															9.5		9.5

SCANNED

Total Acres 9.5

T70393

MAR 13 2003

Transfer No. 70393

PART 1

ieral Information:

Description of diversion system well pump mainline to sprinklers

Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land not irrigated will become building site.

Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

he said application is hereby _____, subject to the following conditions:

ness my hand this _____ day of _____, 20 _____.

_____

For the Director

SCANNED

MAR 1 3 2003

T70393

page 3 of 8

T70393

01/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13236 V1

WATER RIGHT NUMBER: 22-13236 V1

Owner Type	Name and Address
Current Owner	SAJ LLC C/O JOHN D OR PATRICIA MERRILL PO BOX 459 DRIGGS, ID 83422 (208)354-3422
Original Owner	MUFFY E FERRO
Original Owner	LESLIE J MEAD
Original Owner	PETER BRADFORD MEAD

Priority Date: 05/09/1978 Basis: License Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/15 to 10/31	0.270 CFS	66.50 AF
	Total Diversion:	0.270 CFS	66.50 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 11, Twp 05N, Rge 44E, B.M.

TETON County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 44E 11						19.0											19.0

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Remarks:

Comments:

1. PSKAGGS 9/10/2002 This is now a approved transfer, transfer number = 69835

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:

Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SCANNED

MAR 1 3 2003

T70393

page 4 of 8

Transfer No. 70393
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 22-13236

Priority Date: 05/09/1978
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER **Tributary to:**

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/15	10/31	0.27 CFS	66.5 AFA	
	Total Diversion		0.27 CFS	66.5 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWNW 05N 44E 11 TETON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 44E 11						19.0											19.0

Total Acres: 19

Conditions/Remarks:

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Documentation of Ownership of the Current Place of Use Warranty Deed.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes.

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer Land No longer irrigated will be used for building site.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? NO.

SCANNED

MAR 13 2003

T70393

T70393

PART 2

) your knowledge, has any portion of this [redacted]ght undergone a period of five or more con[redacted] years of non-use?

NO If yes, describe _____

SCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

10/31

ount 0.14 cfs for IRRIGATION purposes from 4/15 to ~~10/15~~

s/ac-ft)

ount _____ for _____ purposes from _____ to _____

s/ac-ft)

ount _____ for _____ purposes from _____ to _____

s/ac-ft)

oint(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	11	5N	44E	TETON	

Lands irrigated or place of use:

p	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
N	44E	11						9.5											

UNCHANGED Total Acres _____

ESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

amount 0.13 cfs for IRRIGATION purposes from 4/15 to ~~10/15~~ 10/31

(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	11	5N	44E	TETON	

Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	44E	11						9.5											9.5

SCANNED Total Acres 9.5

T70393

MAR 13 2003

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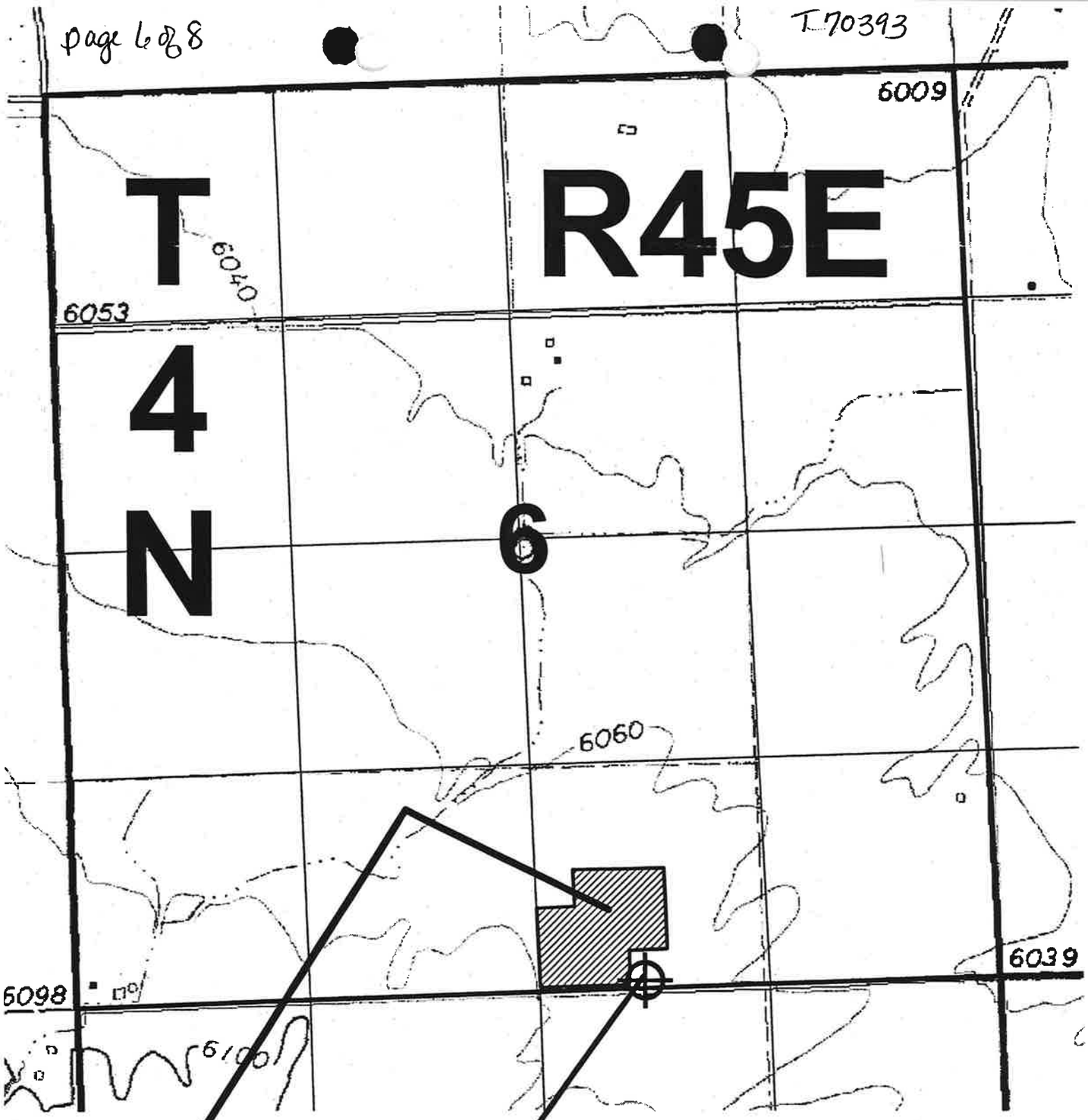
T70393

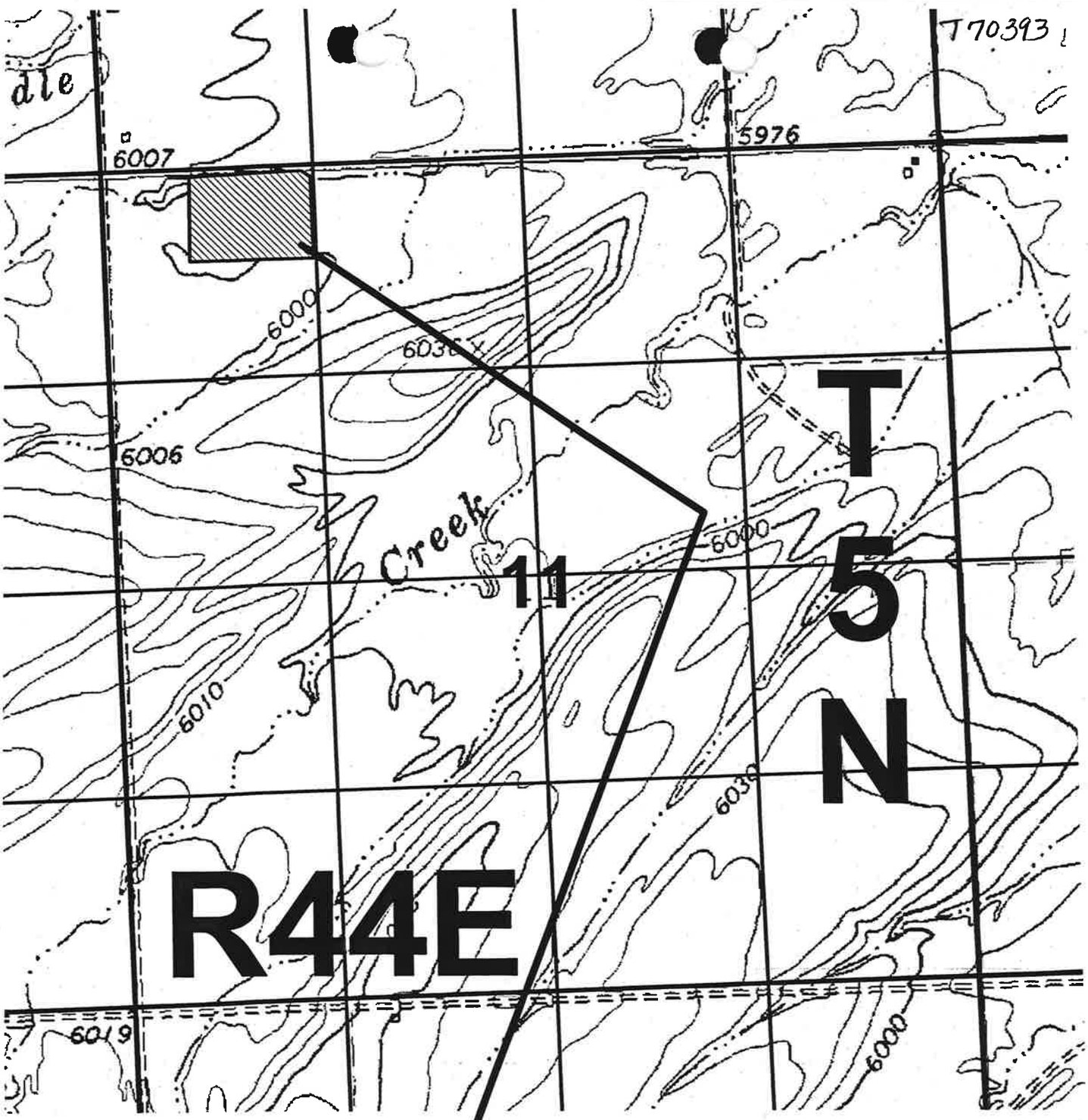


Merrill.shp
S04n45e.shp
T04n45e.shp

POINT OF DIVERSION

SCANNED
MAR 1 3 2003

T70393



Merrill unchanged.shp
S05n44e.shp
T05n44e.shp

SCANNED
MAR 1 3 200

T70393

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PART 3

T70393

NGES IN NATURE OF USE

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
			to
			to

uantity and quality of return flows and location of discharge:

escribe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

JENNIFER CRABTREE NOTARY PUBLIC STATE OF IDAHO

Jon D. Menic
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of January, 20 03.

Jennifer Crabtree
(Notary Public)

My commission expires 9-23-03

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 15 attachments

Received by KCW Date 1/16/2003 Protest filed by

Prelim. Check by JW Fee 100.00 EO28441

Receipted by KCW Date 1/16/2003

Published in Teton Valley News Copies of protest forwarded by

Pub. Dates May 29 and June 5, 2003 Hearing held by Date

Watermaster recommendations requested on Recommended for ☐ approval ☐ denial

received by

Copy of transfer sent to lien holder

SCANNED

MAR 1 3 2003

T70393

WATER RIGHT NO. 22-13262
As Modified by Transfer No. 70393

In accordance with the approval of Transfer No. 70393, Water Right No. 22-13262 is now described as follows.

Right Holder: SAJ LLC
C/O JOHN D OR PATRICIA MERRILL
PO BOX 459
DRIGGS ID 83422

Priority Date: May 09, 1978

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.13 CFS	33.5 AF
			0.13 CFS	33.5 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NWNW Sec. 11 Twp 05N Rge 44E TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 44E 11						9.5											9.5

Total Acres: 9.5

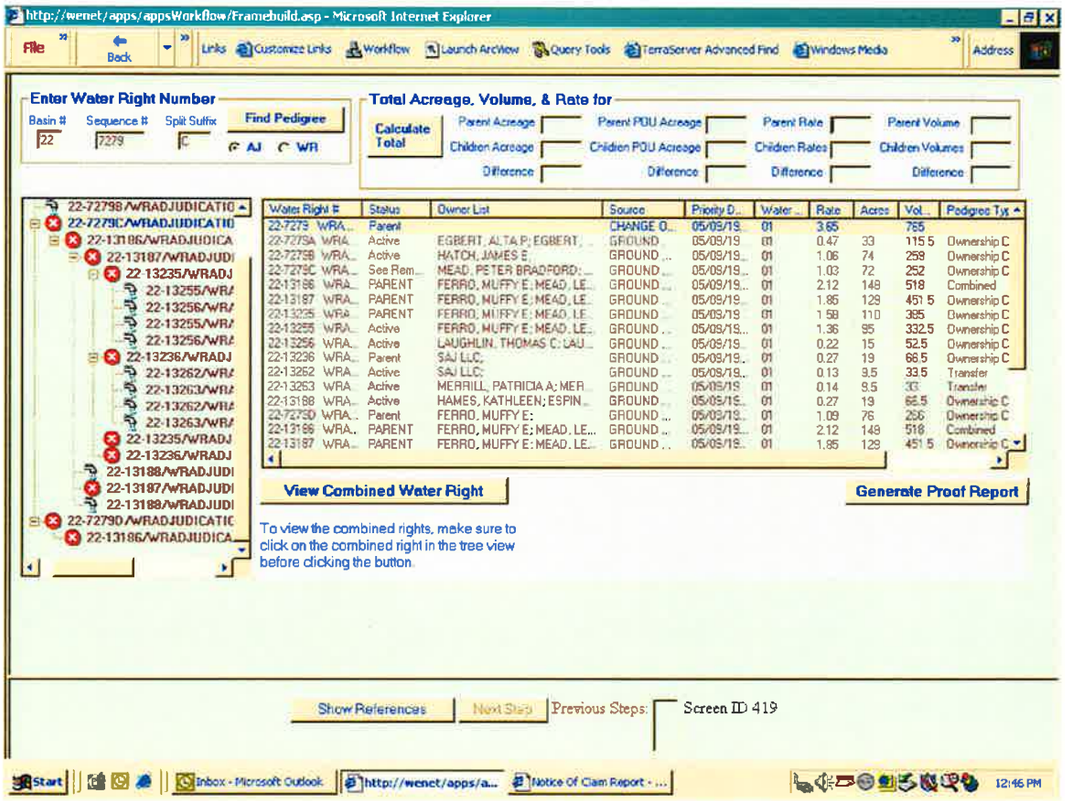
CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23 day of July, 2003

For Chief, Water Allocation Bureau


http://wenet/apps/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer
File
Back
Links
Customize Links
Workflow
Launch ArcView
Query Tools
TerraServer Advanced Find
Windows Media
Address
Enter Water Right Number
Basin #
Sequence #
Split Suffix
Find Pedigree
22
7279
AJ
WR
Total Acreage, Volume, & Rate for
Calculate Total
Parent Acreage
Parent POU Acreage
Parent Rate
Parent Volume
Children Acreage
Children POU Acreage
Children Rates
Children Volumes
Difference
Water Right #
Status
Owner List
Source
Priority D...
Water ...
Rate
Acres
Vol...
Pedigree Typ
22-7279 WRA... Parent CHANGE O... 05/09/19... 01 3.65 765
22-7279A WRA... Active EGBERT, ALTA P; EGBERT, ... GROUND 05/09/19 01 0.47 33 115.5 Ownership C
22-7279B WRA... Active HATCH, JAMES E GROUND ... 05/09/19... 01 1.06 74 259 Ownership C
22-7279C WRA... See Rem... MEAD, PETER BRADFORD; ... GROUND ... 05/09/19... 01 1.03 72 252 Ownership C
22-13186 WRA... PARENT FERRO, MUFFY E; MEAD, LE... GROUND ... 05/09/19... 01 2.12 148 518 Combined
22-13187 WRA... PARENT FERRO, MUFFY E; MEAD, LE... GROUND ... 05/09/19... 01 1.85 129 451.5 Ownership C
22-13235 WRA... PARENT FERRO, MUFFY E; MEAD, LE... GROUND ... 05/09/19 01 1.58 110 385 Ownership C
22-13255 WRA... Active FERRO, MUFFY E; MEAD, LE... GROUND ... 05/09/19... 01 1.36 95 332.5 Ownership C
22-13256 WRA... Active LAUGHLIN, THOMAS C; LAU... GROUND ... 05/09/19... 01 0.22 15 52.5 Ownership C
22-13236 WRA... Parent SAJ LLC, GROUND ... 05/09/19... 01 0.27 19 66.5 Ownership C
22-13262 WRA... Active SAJ LLC; GROUND ... 05/09/19... 01 0.13 9.5 33.5 Transfer
22-13263 WRA... Active MERRILL, PATRICIA A; MER... GROUND 05/09/19 01 0.14 9.5 33 Transfer
22-13188 WRA... Active HAMES, KATHLEEN; ESPIN... GROUND ... 05/09/19... 01 0.27 19 66.5 Ownership C
22-72790 WRA... Parent FERRO, MUFFY E; GROUND ... 05/09/19... 01 1.09 76 266 Ownership C
22-13186 WRA... PARENT FERRO, MUFFY E; MEAD, LE... GROUND ... 05/09/19... 01 2.12 148 518 Combined
22-13187 WRA... PARENT FERRO, MUFFY E; MEAD, LE... GROUND ... 05/09/19... 01 1.85 129 451.5 Ownership C
22-72798/WRADJUDICATIO
22-7279C/WRADJUDICATIO
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22-72790/WRADJUDICATIC
22-13186/WRADJUDICA
View Combined Water Right
To view the combined rights, make sure to click on the combined right in the tree view before clicking the button.
Generate Proof Report
Show References
Next Step
Previous Steps:
Screen ID 419
Start
Inbox - Microsoft Outlook
http://wenet/apps/a...
Notice Of Claim Report - ...
12:46 PM

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7279 Priority May 9, 1978 Amount 3.65 cfs

THIS IS TO CERTIFY, that James E. Hatch

of Driggs, Idaho, has complied with the terms and conditions of Permit No. 22-7279 issued pursuant to Application for Permit dated May 9, 1978, and has submitted proof to the Department of Water Resources on August 17, 1982, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.65 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 15 to October 15	at 3.65 cfs and	765.0 acre feet
	from ____ to ____	at ____ cfs and	____
	from ____ to ____	at ____ cfs and	____

(both dates inclusive)

Subject, however, to the condition that no more than 3.65 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 765.0 acre feet per year, said waters to be diverted within the SE¼SW¼ Section 2, Twp 5N, Rge 44E in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	44E	2											33	38			36		107
		11					38	38	39	33									148

Total number of acres irrigated 255

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11TH day of September, 19 84.

RECORDED

Acting for the Director Norman C Young

DRO ✓

Form 219
12/79

State of Idaho

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ Other

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

Recommended Amendments:

22-7279
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made:			
(List Telephone No. used)			
☐ Appointment scheduled for:			
(Date, time, location)			

EXAMINATION

Date 7-22-82 Accompanied by N/A See Note Total Q measured 3.65cfs ✓

If source is surface water, estimate total flow of source

Methods of measurement McCrometer Meets Permit requirements?

Measurement calculations:

Observed approx 1700gpm on McCrometer = 3.49 cfs

255 x 0.02 cfs = 5.1 cfs

0.01af in 119.3 sec

(43560 ft²/ac x 0.01 acft) ÷ 119.3 sec = 3.65 cfs ✓ capacity

V = 255 ac x 3 afa = 765 afa ✓

V = 3.65 cfs x 1.9835 af/cfs x 183 days = 1325 afa ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	300	U.S Motors	MN 9537-270 T4464-3&9	Johnston	N/A	McCrometer	Good	No S/N

System Description well, pump, 10" mainline to portable mainline with laterals with sprinklers

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 ✓ AFA/Acre

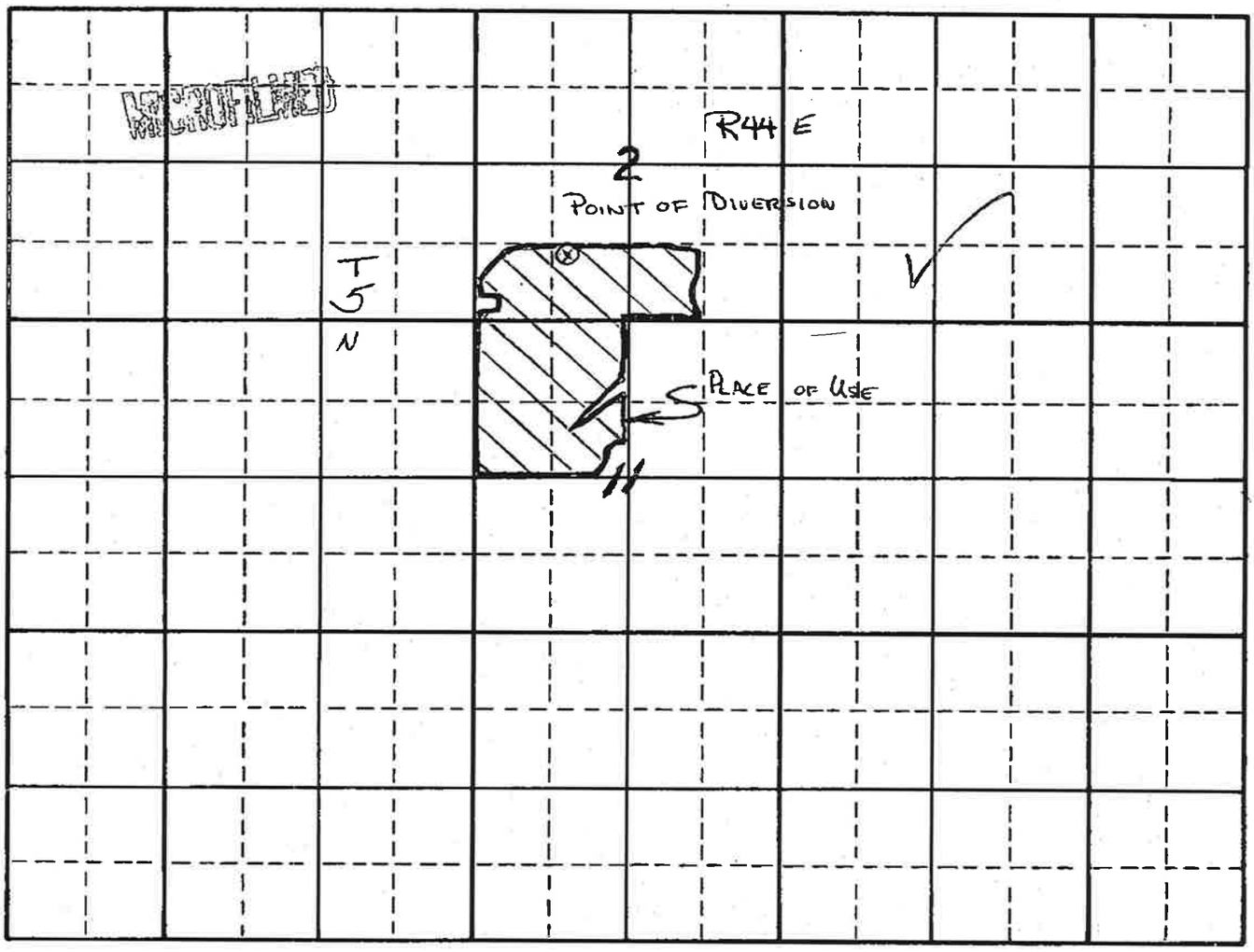
USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION ✓	3.65 ✓	765 afa ✓	4/15 ✓	10/15 ✓
				183 days)
Total	3.65 cfs ✓	765 afa ✓	4/15	10/15

Remarks Recommend changing period of use on license to 4/15 to 10/15 ✓

NOTE: Mr Hatch instructed me how to find his place he said that he would take the McCrometer Reading ~~where~~ as indicated on the aerial photo the place of use ↩ accept

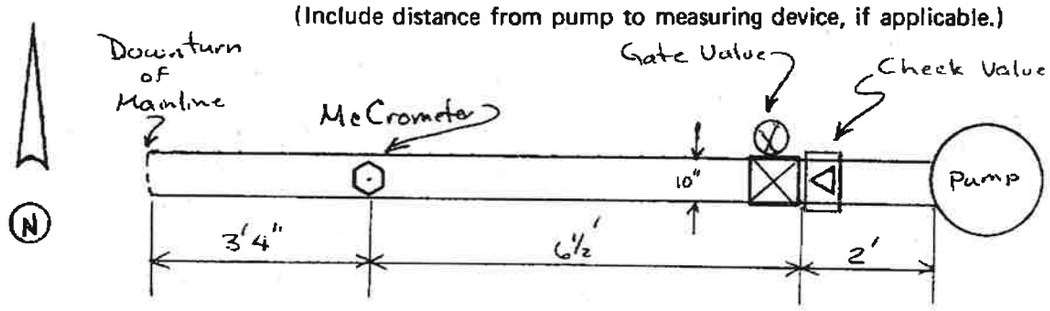
(per phone conversation w/ Keith Wilson 9/14/84. KW)

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: ✓SE¼ SW¼ Sec 2 T 5 N R44E

Place(s) of Use ✓ less acres

TWP.	RGE.	SEC:	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	44E	2											33	38			36		107 ✓
		11					38	38	39	33									148 ✓

255

Recommended Amendments:

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☑ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☑ Other Change Period of IRRIGATION

Examiner's Signature Keith C Wilson Date 5 Dec 1983

Checked by [illegible] Date 12-05-1983

Approved by Karl Walker Date 8-3-84

PERMIT NO. 22-7279 James E. Hatch (Name)

Accompanied by: _____

EXAMINATION: DATE: 7-22-82

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
US Motors	300	MN9537-270 T416L-389	Johnston	N/A

Measuring Device Type: Mycromatic No S/N

Meter # _____ Annubar# _____ Size # _____

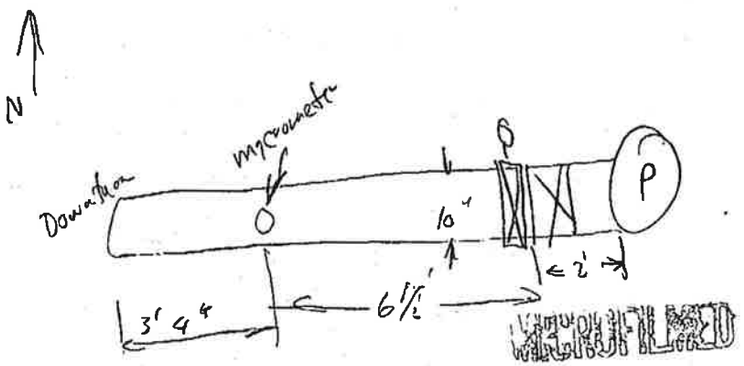
Remarks: P/D & PWOK

Measurement calculations:

400 gpm

< 0.01 cfm 1 min 59.3 sec = 3.65

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____

Portable mainline