

06/16/2006

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

RIGHT NUMBER: 22-13276
NAME AND ADDRESS: LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

DAVID M TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.280 CFS
58.50 AFY

PRIORITY DATE: 05/09/1978

POINT OF DIVERSION:
T05N R44E S11 SESWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.280 CFS 58.50 AFY
The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 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 SWNW 19.00
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 original right 22-7279.

This right is a split from former right 22-13272.

11/22/2006

**NOTICE OF ERROR
REPLY**

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13276

LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

DAVID M TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

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

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

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

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

DATE:

4-DEC-06

SIGNATURE:





Please print your name:

DAVID M. TOOKE

LISA TOOKE

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



Idaho Department of Water Resources

SRBA Recommendation:

22-13276

(Irrigation)

Legend

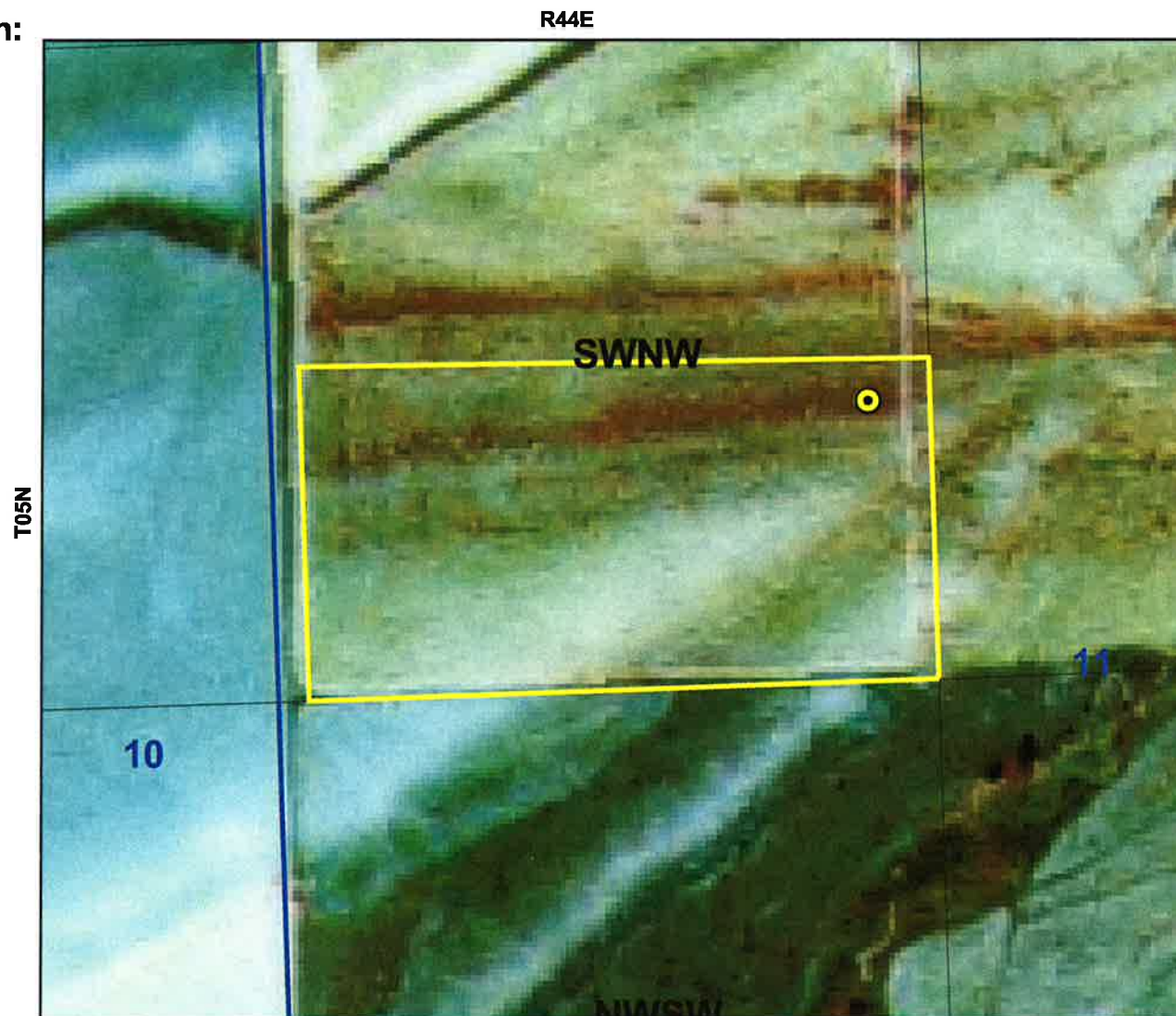
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtre
On Wednesday, November 22, 2006
1987/88 Aerial Photography



0 0.1 0.2 Miles



JUL 19 2005

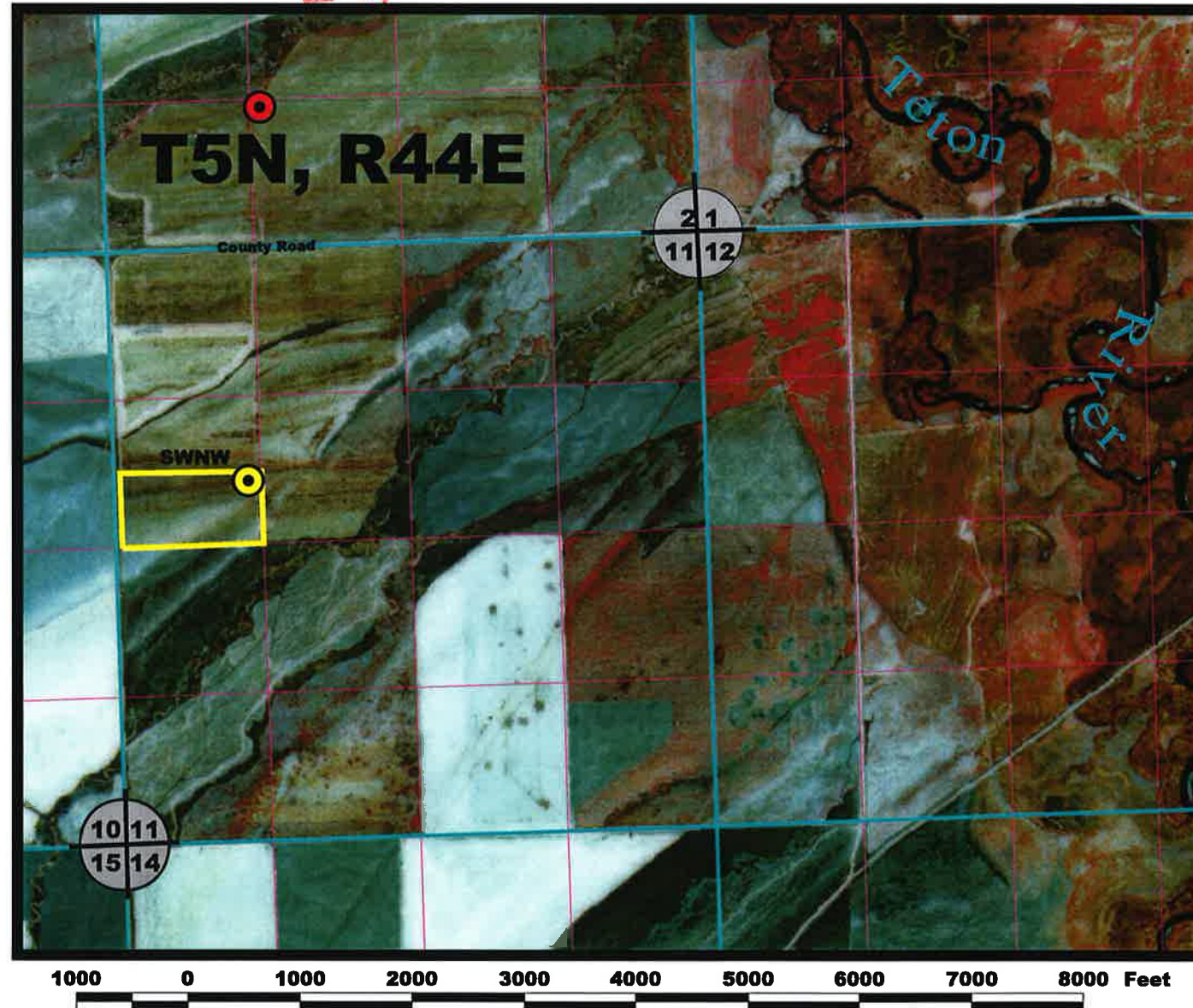
SCANNED

PROFILE

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-13276

Point(s) of Diversion:
T5N, R44E
Sec. 11 SESWNW

Place of Use: (part of)
T5N, R44E
Sec. 11 S2SWNW

LEGEND

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: July 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: 22-13276

LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

DAVID M TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

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

Point of diversion is: T5N R44E S11 SWNW
Total Acres: 19.5

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:

Point of diversion transferred 13-Feb-2004,
Transfer No. 70840. New well on new point
of diversion 6-Sep-2004, Well Tag No. 0034804

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

DATE: 8-JUN-2005 SIGNATURE: [Signature]

Please print your name: DAVID M. TOOKE

IDWR Regional Office,

7/14/05
POD changed per TX
[Signature]

SCANNED
JUL 19 2005

RECEIVED
JUN 17 2005

Department of Water Resources
Eastern Region

SCANNED
JUN 21 2005

PROFILED

KMJ
6/20

PROFITED

SCANNED
MAY 06 2005

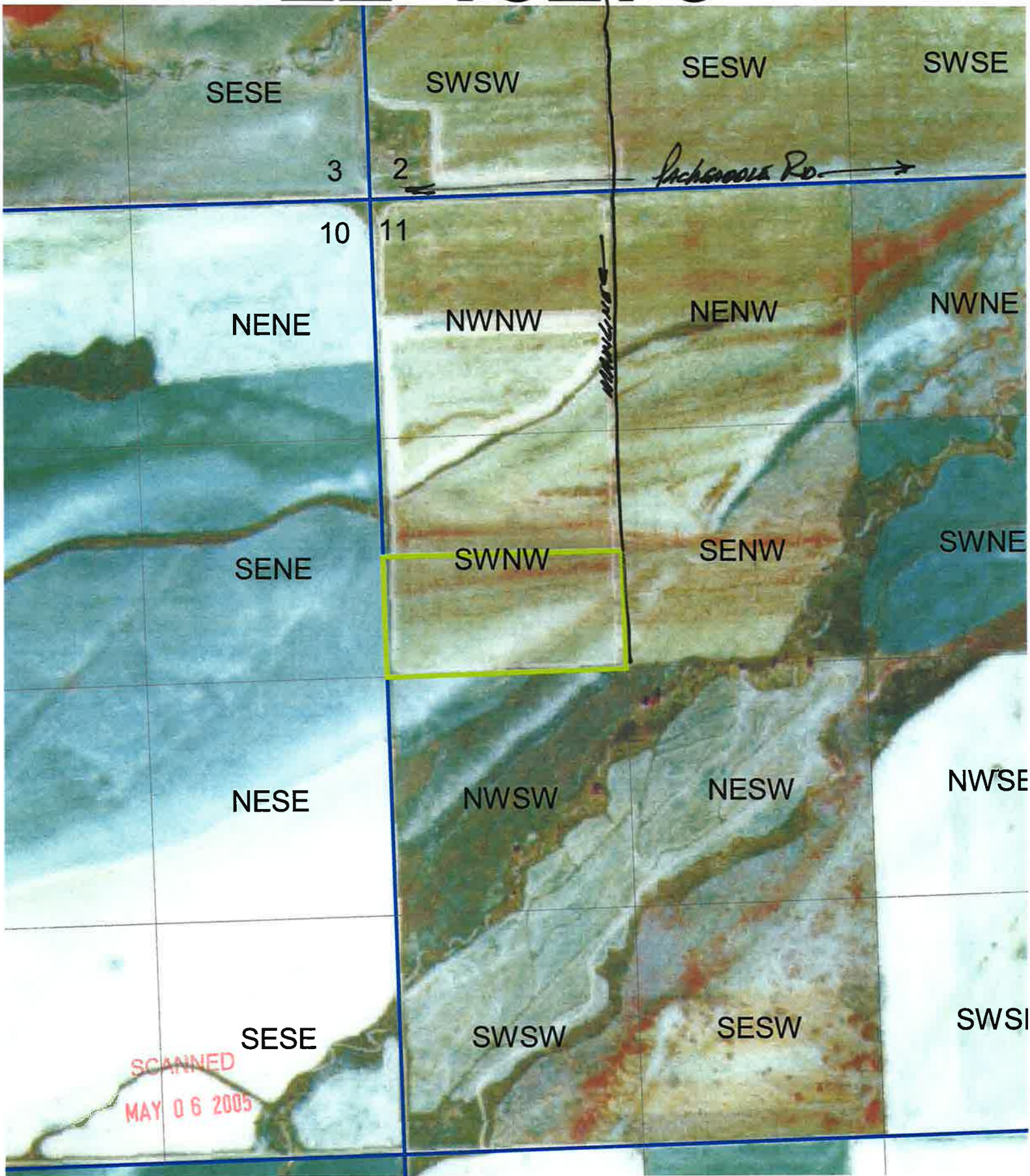
6/29/04 *AM*



SCA*
MAY 06 2005

PROFIT
22-13276

POD 6/28/04 ASR
Same POD as 22-72798



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 10ac. Tract

Reviewer: _____ Date: _____

PROFILED

SCANNER

MAY 06 2005

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/13	10/15	0.28	68.2

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/13	10/15	0.28	57.0

Overall Diversion Rate 0.28 cfsOverall Diversion Volume 57.0 A.F.A.Document how the Period of Use and/or Diversion Rate were verified:

Annual Volume should be 57.0

License: $\frac{765 \text{ Acre Feet}}{255 \text{ Acres}} = 3.0$ / this claim: $(3) \times 19 \text{ Acres} = 57.0 \text{ A.F.A.}$

Reviewer: _____

Date: _____

PROFILE

SCANNED
MAY 06 2005

Contacts Data Entry Form

Claim Number: _____

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

Current Owner: _____ Phone No.: _____

Current Owner: _____ 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.

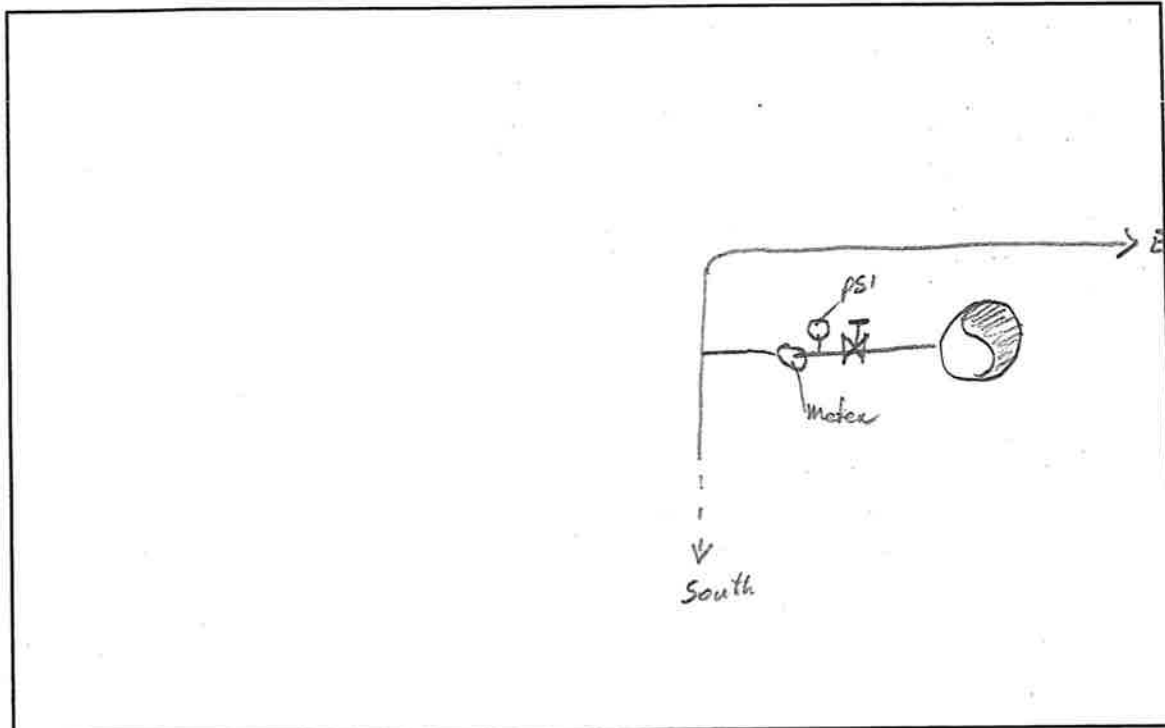
POLE DISCREPANCY FOR MAPS FROM REALTOR (NO SURV)

Reviewer: _____ Date: _____

PROVIDE

SCANNED
MAY 06 2005

Water Right No(s). _____



GPS DATA:

Tag # ADP 14212 Location: ON BLOCK PAVOL

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

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MAY 06 2005

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RECEIVED

SEP 25 2003

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

Transfer No. 70840

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David M. & Lisa Tooke Phone 407-366-4197
Post Office address 1716 Carillon Park Drive, Oviedo FL 32765

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

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

2. Describe the reason for the proposed changes See attached

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 22- See remarks Priority May 9, 1978 Amount (cfs/ac-ft) .28 Nature of Use Irrigation Period of Use April 15 to October 15
13276 _____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred .28 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>X</u>		<u>SW</u>	<u>NW</u>	<u>11</u>	<u>5N</u>	<u>44E</u>	<u>Teton</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>44E</u>	<u>11</u>																	<u>19.5</u>
									<u>19.5</u>										

SCANNED

MAY 06 2003

SCANNED

OCT 08 2003

Total acres 19.5

PROFILED

PART 1

6. General Information:

- a. Description of diversion system well/pump to sprinkler system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
See attached

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

T70840

PROFILED
SCANNED
MAY 06 2005

SCANNED
OCT 08 2003

Part 1, Section A, Question 2.

The current point of diversion serves 160 acres, known as the Mead parcels (NW ¼ Township 5N Range 44E Section 11) as well as a larger tract north of the 160 acres. This point of diversion is located off said 160 acres and is separated from the parcels by county road 400 North (also known as Packsaddle road). The 160 acres have been subdivided into eight (8) 20-acre parcels. We recently purchased (July 9, 2003) the parcel that is located furthest from the point of diversion (south ½ of the southwest ¼ of the northwest ¼). In order to irrigate, we would have to pump the water under 400 North as well as across three (3) neighboring parcels. Note: there currently are no permanent water lines from the current point of diversion. Since the well and pump at the current point of diversion is designed to supply water to a much larger area compared to our 20 acres, the cost of operating the pump at the current point of diversion is considerable. It would be more efficient, cost effective, and less obtrusive to move the point of diversion to the point of use.

Part 1, Section B, Question 6 d. Remarks:

Note that a Notice of Change in Water Right Ownership has not been processed for our property. We purchased the 20 acre parcel and associated water rights from Peter and Leslie Mead, and Muffy Ferro (Mead) July 9, 2003. The Mead's address is PO Box 239 Tetonia, ID 83452. A copy of the Warranty Deed is attached. The Mead's Water Right number is 22-13255. Since ownership change by the Idaho Department of Water Resources has not been completed, the water right amount associated with the 20 acre parcel is not known and we are therefore estimating the water right that will be apportioned to us to be approximately .29 cfs.

PROFILED

SCANNED
MAY 06 2005SCANNED
OCT 08 2003

T70840

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

Transfer No. 70840
Receipt No. _____

Current Water Right No. 22-13276

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

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/15 10/15	0.28 CFS	68.2 AFA	
	Total Diversion	0.28 CFS	68.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSESW 05N 44E 2 TETON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 44E 11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	19.5

Total Acres: 19.5

Conditions/Remarks:

1. this right is a split of 22-13272

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?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
none no change

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

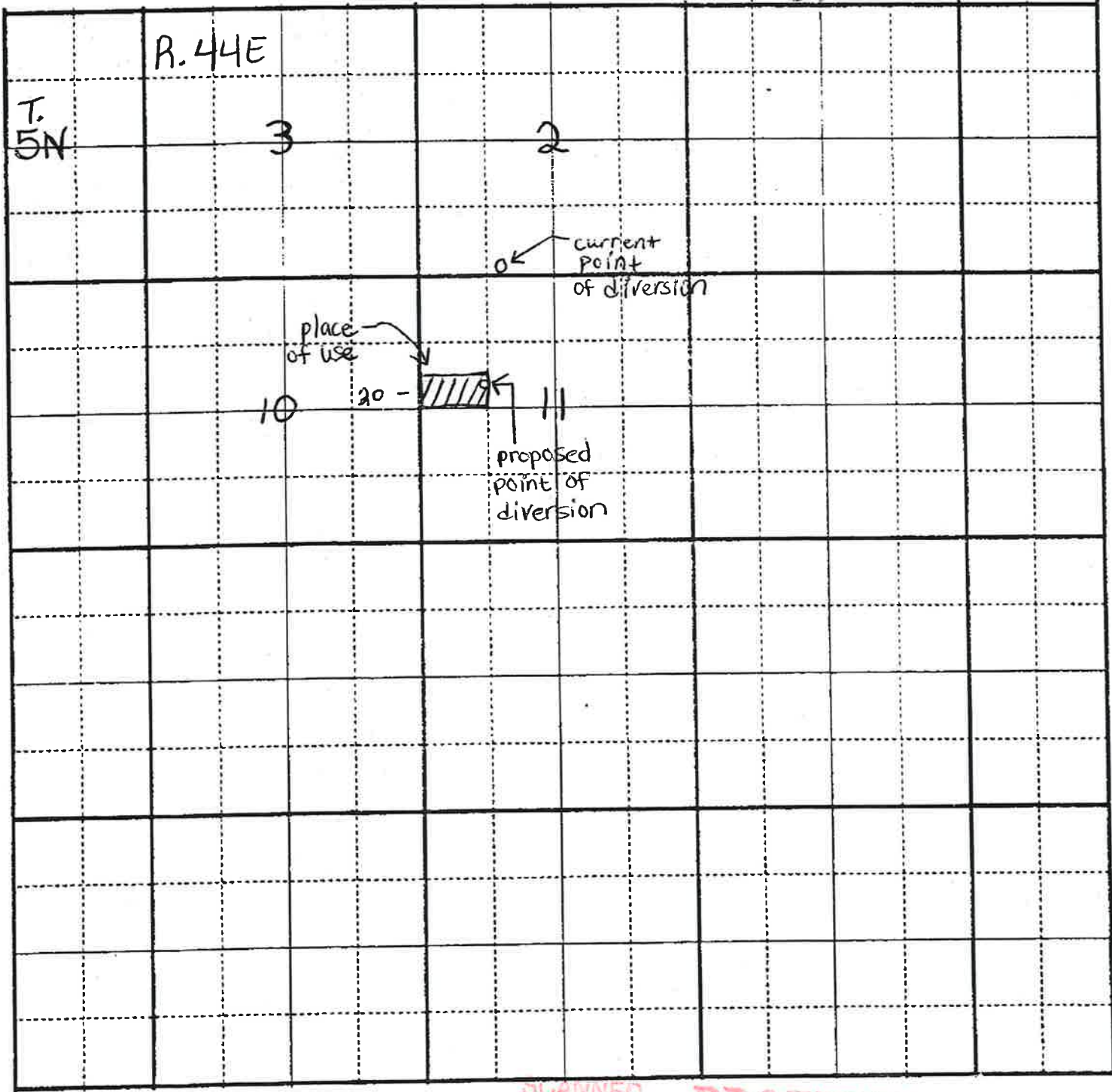
SCANNED
MAY 06 2005
PROFILED

SCANNED
OCT 08 2003

T70840

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



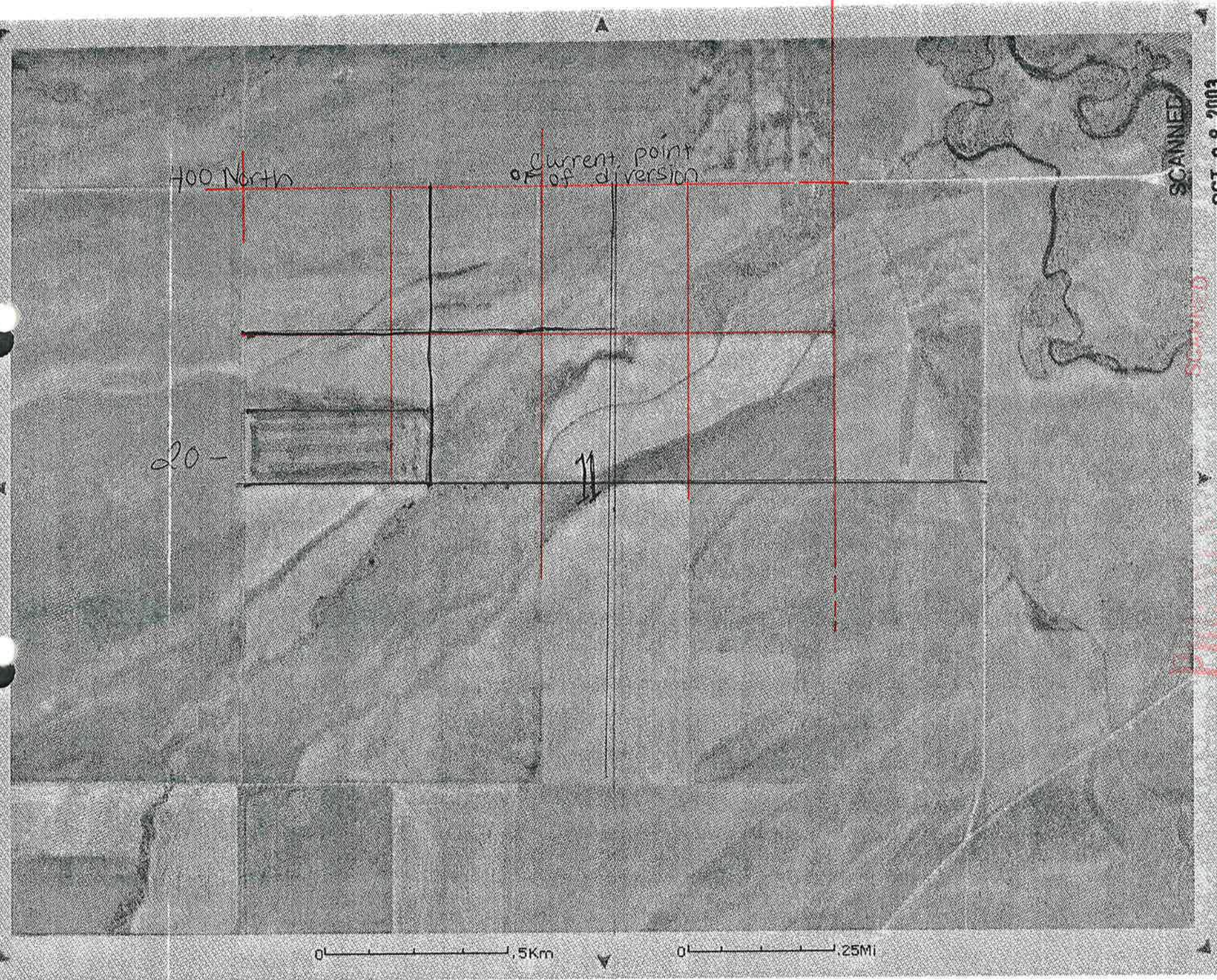
SCANNED
MAY 06 2005

PROFILER

SCANNED
OCT 08 2003

SCALE: 2 inches equal 1 mile. Draw plan in Ink.

T70840



PHOTOGRAPH

SCANNED

SCANNED

MAY 06 2005

OCT 08 2003

T70840

Sec 2
M and 20 ARE PARCELS

Stc 2

TSN
R 44E
SEE AT
NW 1/4

T70840

PROBATION

MEAD RIGHT #
22-13255 1.3

NE NW 38 Acres
SW NW 39
SE NW 18

25/11/1975, 81 m N 35

SCANNED

OCT 08 2003

MAY 08 2005

AVAILABLE

PART 3

B. CHANGES IN NATURE OF USE

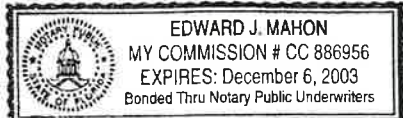
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe 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.



[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this

19th

day of

SEPT

2003

[Signature]

(Notary Public)

My commission expires

12-6-03

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by DC

Date 9/25/2003

Protest filed by

Prelim. check by DC

Fee 250

EO 29236

Received by DC

Date 9/25/2003

Published in Teton Valley News

Copies of protest forwarded by

Pub. dates 1/1 & 1/8/04

Hearing held by Date

Watermaster recommendation requested on

Recommended for ☒ approval ☐ denial

rec'd.

by ROC

Copy of transfer sent to lien holder

PROFILED

SCANNED
MAY 06 2005

SCANNED
OCT 08 2003

T70840

RECEIVED

SEP 25 2003

Form 1-222
12-82

(Internet)

Page 1 of 11STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David M. for Lisa Troke Phone 407-366-4197
Post Office address 1716 Carillon Park Drive, Oviedo FL 32765

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes See attached

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 22- See remarks 13276 Priority May 9, 1978 Amount (cfs/ac-ft) .28 Nature of Use Irrigation Period of Use April 15 to October 15
2. Total amount of water being transferred .28 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
4	SE	SW	NW	11	5N	44E	Teton	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	44E	11							20										20
									19.5										

PROFILES

MAY 06 2005

Total acres 20

RECEIVED

155929

3050312208-T

JUL 10 2003

TELEPHONE ID
CLERK RECORDER

WARRANTY DEED

ALLIANCE TITLE & ESCROW CORP. INC
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

Order No.:3050312208-T

For Value Received

Peter Bradford Mead and Leslie J. Mead, Husband and Wife an undivided 1/2 interest and Muffy E. Ferro, formerly known as Muffy E. Mead, an undivided 1/2 interest as tenants in common

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

David M. Tooke and Lisa Tooke, Husband and Wife

whose current address is

1716 Carillon Park Drive Oviedo, FL 32765

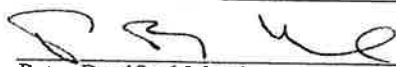
the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Section 11: S 1/2 SW 1/4 NW 1/4.

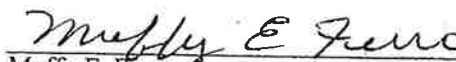
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: 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: 7/07/2003


Peter Bradford Mead


Leslie J. Mead


Muffy E. Ferro by Leslie J. Mead as
Attorney-in-fact

State of Idaho }
County of Teton } ss.

On this 9th day of July, 2003, before me, a Notary Public in and for said state, personally appeared Peter Bradford Mead and Leslie J. Mead

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Carla C. Jones
NOTARY PUBLIC
STATE OF IDAHO


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

State of Idaho }
County of Teton } ss.

On this 9th day of July, 2003, before me, a Notary Public in and for said state, personally appeared Leslie J. Mead known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Muffy E. Ferro, and acknowledged to me that she subscribed the name of Muffy E. Ferro as principal and his/her own name as Attorney-in-fact.

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

Carla C. Jones
NOTARY PUBLIC
STATE OF IDAHO


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

155929

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70840

This is to certify that: DAVID M TOOKE And/Or
LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

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
22-13276	AJC/License	05/09/1978	0.28 cfs	68.2 af	N/A	19.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-13276	NO	YES	NO	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
22-13276	22-13276	0.28 cfs	58.5 af	N/A	19.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.28 cfs	58.5 af	N/A	19.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of February, 2004



Chief, Water Allocation Bureau

5
MAY 10 2005

PROFILE

WATER RIGHT NO. 22-13276
As Modified by Transfer No. 70840

In accordance with the approval of Transfer No. 70840, Water Right No. 22-13276 is now described as follows.

Right Holder: LISA TOOKE And
DAVID M TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

Priority Date: May 09, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.28 CFS	58.5 AF
			0.28 CFS	58.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 11 Twp 05N Rge 44E 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								19.5									19.5

Total Acres: 19.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

CEANNED
MAY 06 2005

PROFILED

WATER RIGHT NO. 22-13276
As Modified by Transfer No. 70840

CONDITIONS OF APPROVAL

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.
7. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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 13th day of February, 2004



Chief, Water Allocation Bureau

PROFILE

SCANNED
MAY 06 2005

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 <u>April 15</u> to <u>October 15</u> at <u>3.65</u> cfs and <u>765.0</u> 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 SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2
Twp 5N, Rge 44E in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
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.

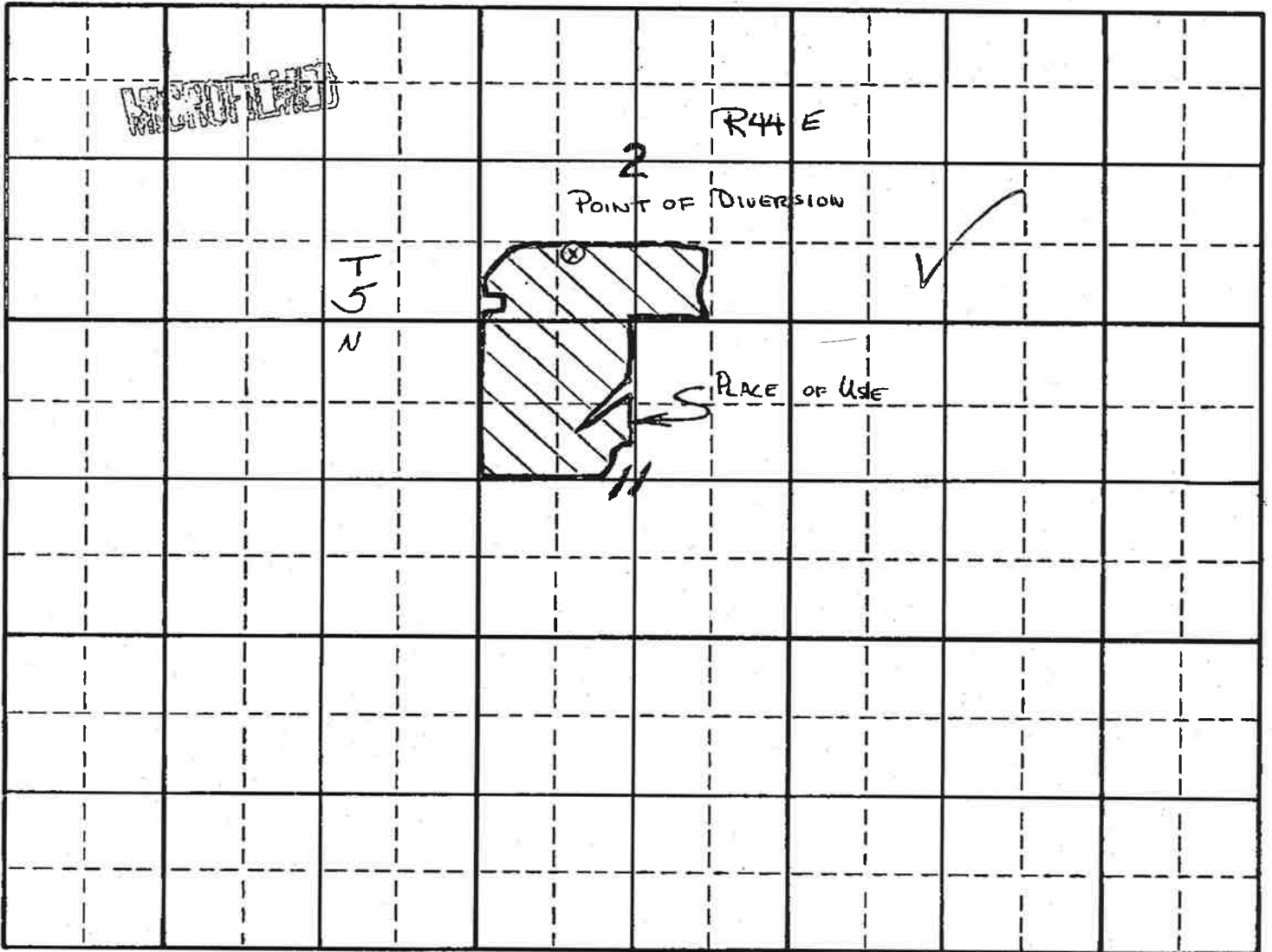
RECORDED

Acting for the Director

Norman C Young

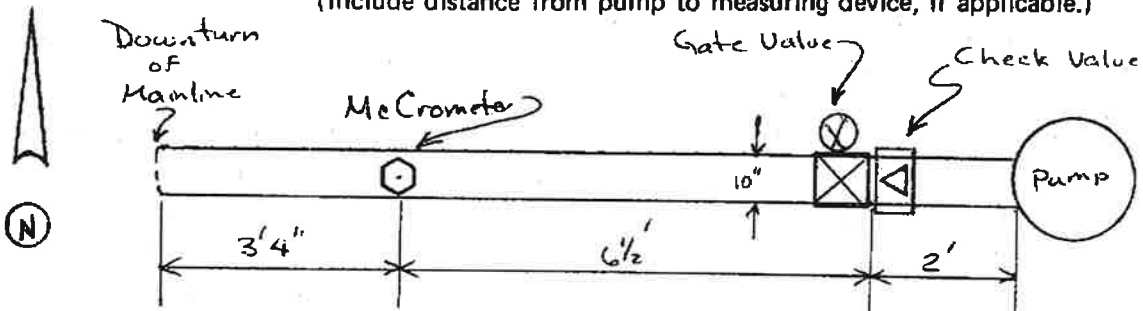
DW

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: SE 1/4 SW 1/4 Sec 2 T 5 N R 44 E

Place(s) of Use less acres

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	44E	2											33	38			36		107 ✓
		11					38	38	39	33									148 ✓

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None
☒ Other

Change Period of IRRIGATION

Examiner's Signature

Checked by

Approved by

Keith C. Wilson
7/6/83
Ray Walker

Date

Date

Date

5 Dec 1983

12-05-1983

8-3-84

255

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	MM9537-270 T4164-389	Johnston	N/A

Measuring Device Type: Micrometer No S/N
 Meter # _____ Annubar # _____ Size # _____

Remarks: P/D + P/U OK

Measurement calculations:

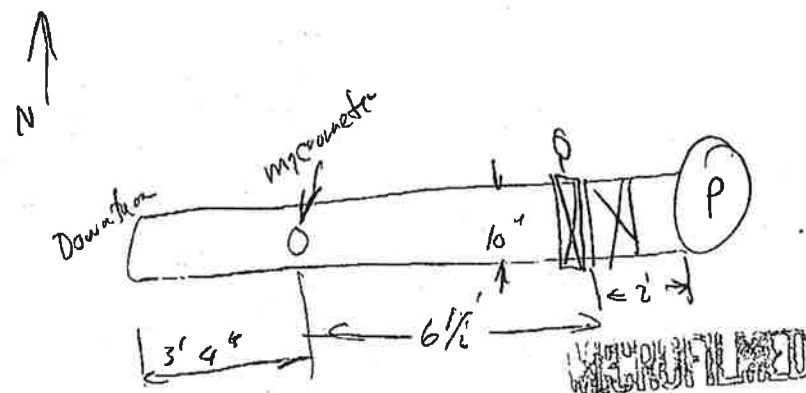
1700 gpm

0.01 af in 1 min 59.3 sec = 3.65

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____

Portable mainline



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 22-13276
Date Received: 9/26/2003
Receipt No:
Received By:

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

A2213276



1. Name of Claimant(s)

LISA TOOKE Phone: 407-366-4197

1716 CARILLON PARK
OVIEDO FL USA 32765

DAVID M TOOKE Phone: 407-366-4197

1716 CARILLON PARK
OVIEDO FL USA 32765

2. Date of Priority: 05/09/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	44E	2	NW SE SW	TETON	

5. Description of diverting works:

WELL, PUMP & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.28	68.2

7. Total Quantity Appropriated is:
0.28 C.F.S. and/or 68.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROFILED

**SCANNED
MAY 06 2005**

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	44E	11	SW	NW	IRRIGATION	19.5
						Section Acres 19.5
						Total Acres 19.5

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 of 22-13272

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

PROFILED

SCANNED
MAY 06 2005