

11/16/2006

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

RIGHT NUMBER: 22-13620

NAME AND ADDRESS: COLBY DEMPSEY
PO BOX 1195
DRIGGS ID 83422

KATHLEEN MARTIN
PO BOX 1195
DRIGGS ID 83422

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.110 CFS

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION:
T06N R46E S32 NWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.110 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R46E S31 Lot 4 SWSW	5.00	
	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.

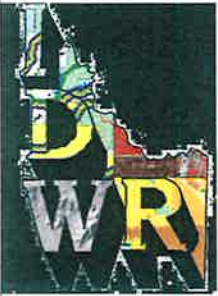
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Desert Ditch.

This right is a split from former right 22-297A.

SCANNED

JUL 31 2007



Idaho Department of Water Resources

SRBA Recommendation:

22-13620

(Irrigation)

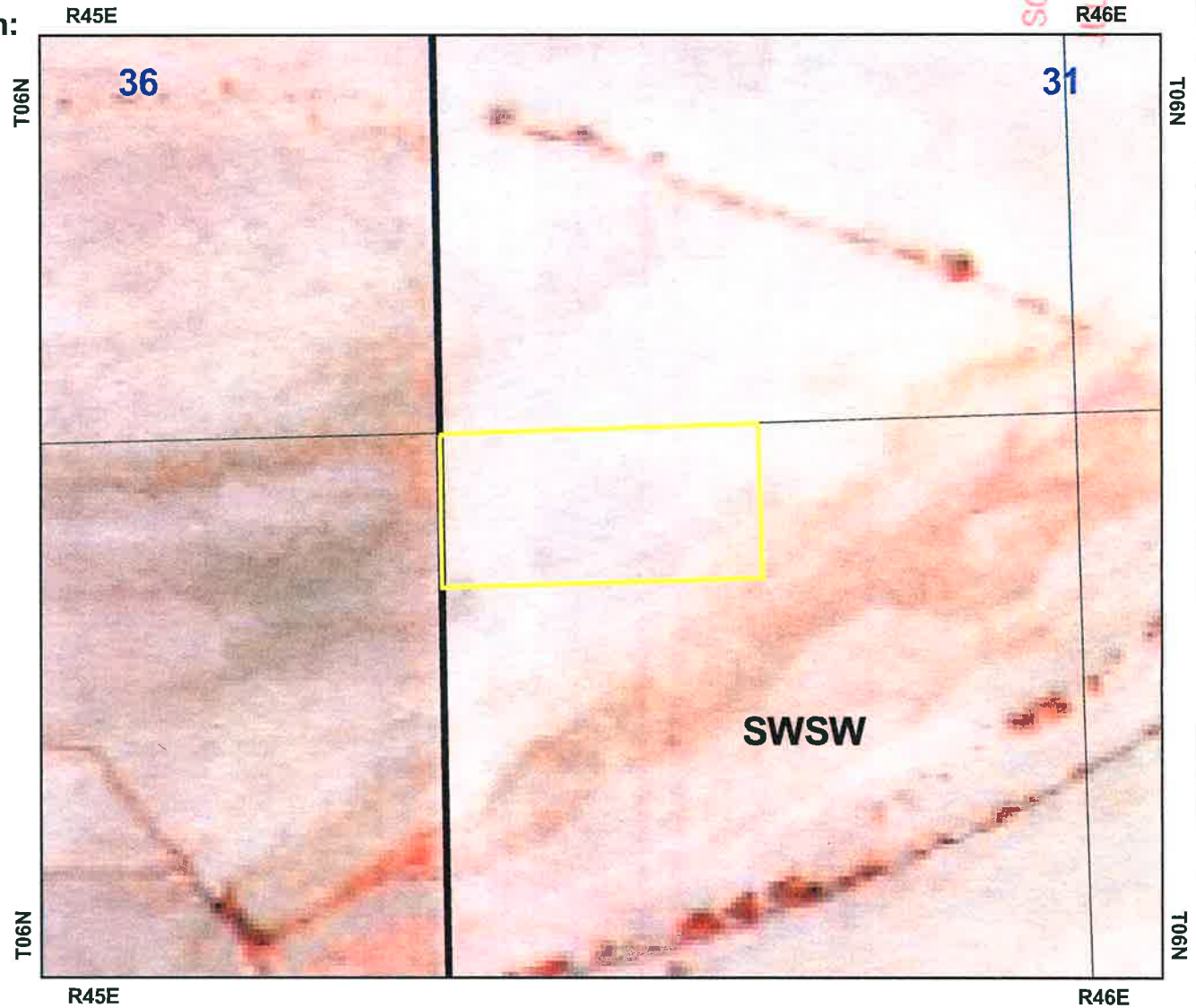
SCANNED
11-31-2007

Legend

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



Teton County
IDWR Basin 22



0 0.1 0.2 Miles

Prepared by J. Crabtree
On Thursday, November 16, 2006
1987/88 Aerial Photography

11/16/2006

**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: 22-13620

COLBY DEMPSEY
PO BOX 1195
DRIGGS ID 83422

KATHLEEN MARTIN
PO BOX 1195
DRIGGS ID 83422

RECEIVED

DEC 01 2006

Department of Water Resources
Eastern Region

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: 11/30/06

SIGNATURE:

Please print your name:

Kathleen A. Martin / Colby W. Dempsey
Kathleen Martin / Colby Dempsey

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

SCANNED

JUL 31 2007

KMD
12/11

WARRANTY DEED

For Value Received **BRADLEY DRAKE SIMONSON**, a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

COLBY W. DEMPESY and KATHLEEN A. MARTIN, husband and wife
whose address is: **2625 LAHARPE ST., NEW ORLEANS, LA, 70119**

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

Commencing at the SW Corner of Section 31, Township 6 North, Range 46 East, Boise Meridian, Teton County, Idaho; thence North 0 degrees 34'57" East, 1321.96 feet to the true point of beginning; thence North 89 degrees 54'38" East, 656.45 feet to a point; thence South 0 degrees 16'37" West, 329.76 feet to a point; thence South 89 degrees 48'22" West, 658.22 feet to a point; thence North 0 degrees 34'57" East, 330.98 feet to the point of beginning.

TOGETHER WITH and subject to a 60 foot wide road and utility easement being 30 feet on either side of the following described centerline; commencing at the SW Corner of Section 31, Township 6 North, Range 46 East, Boise Meridian, Teton County, Idaho; thence North 89 degrees 42'09" East, 660.00 feet to the true point of beginning; thence North 00 degrees 34'57" East, 660.00 feet to a point; thence North 0 degrees 16'37" East, 659.52 feet to a point.

SUBJECT TO Declaration of Covenants, Conditions and Restrictions for Red Feather Ranch, Recorded December 10, 1990, Recorder's No. 107164, Records of Teton County, Idaho.

TOGETHER WITH all water and mineral rights of record.

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

BRADLEY DRAKE SIMONSON

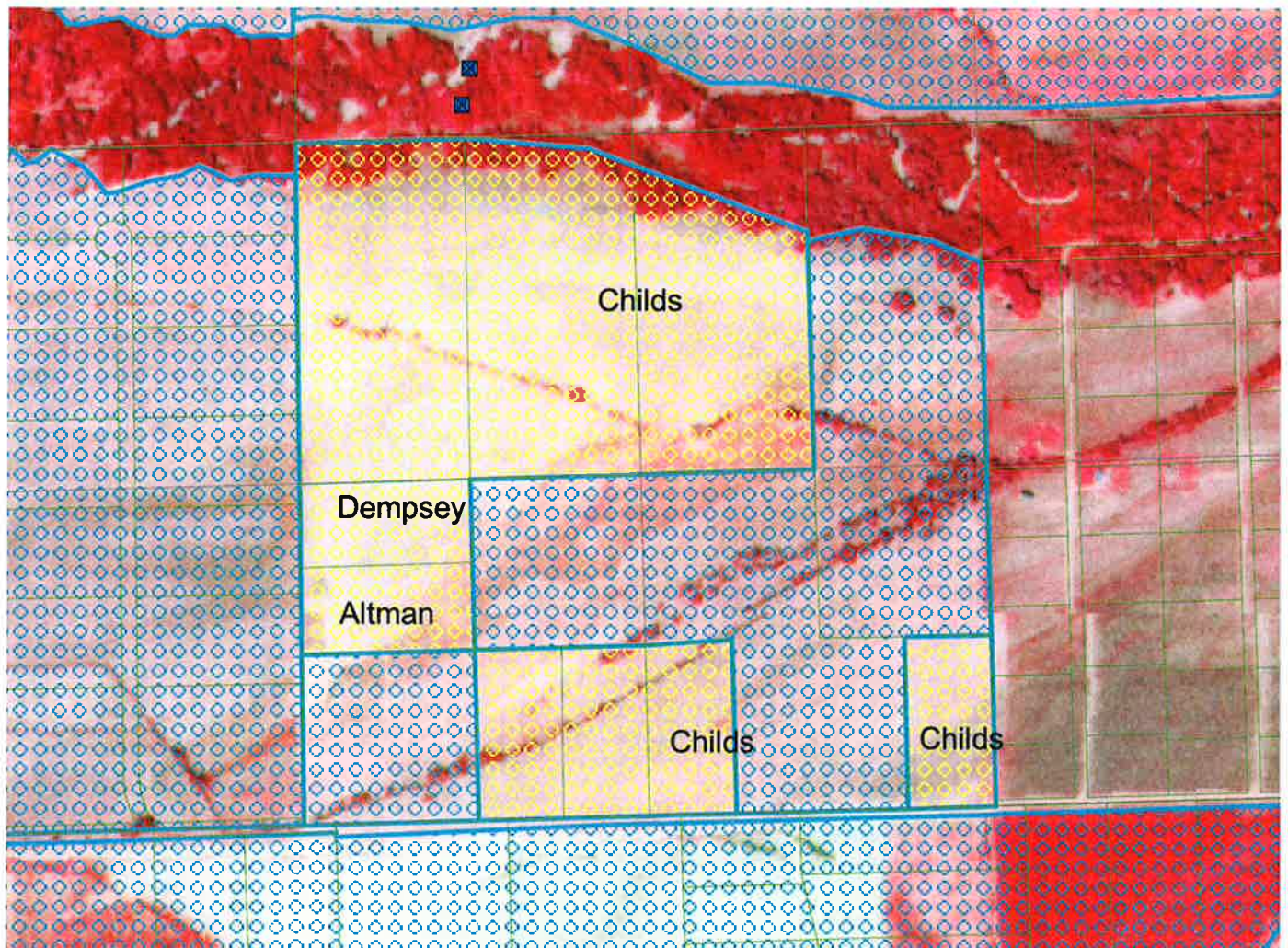
STATE OF)
 : ss
COUNTY OF)

On this day of , in the year 1994, before me, a Notary Public in and for said State, personally appeared **BRADLEY DRAKE SIMONSON**, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that he executed the same.

Notary Public of
Residing at
Commission Expires

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JUL 31 2007

22-297A split



-  Teton taxlots
-  GCDB06N46E GCDB
-  GCDB06N45E GCDB
-  GCDB05N46E GCDB
-  GCDB05N45E GCDB
-  Recommendation POD
-  Recommendation POU
-  Administrative BasinsAdminbas.shp



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 22-13620
Date Received: 3/18/1991
Receipt No:
Received By:

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

1. Name of Claimant(s)

COLBY DEMPSEY Phone:
PO BOX 1195
DRIGGS ID USA 83422

KATHLEEN MARTIN Phone:
PO BOX 1195
DRIGGS ID USA 83422

2. Date of Priority: 06/01/1898

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	46E	32	NW SW	TETON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.11	

7. Total Quantity Appropriated is:
0.11 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	46E	31	SW SW	IRRIGATION	5

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Section Acres 5

Total Acres 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:

P/U UNSURVEYED AT TIME OF DECREE. P/D DESERT DITCH, WD01 RECORDS THIS CLAIM IS A PORTION OF A22-00297 FOR 1.80 CFS & 90 ACRES.

This right is a split from former right 22-297A.

15. Basis of Claim: Decreed