

05/29/2007

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

RIGHT NUMBER: 22-13716

NAME AND ADDRESS: ANDREW WILLIAMS
PO BOX 25
TETONIA ID 83452

NIKI TISCHHAUSER
PO BOX 25
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 06/01/1898

POINT OF
DIVERSION: T06N R45E S33 NWSWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.200 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S31 SESE 10.00

10 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 Black Ditch.

This right is a split from former right 22-141E.

SCANNED
JUN 04 2007



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

May 29, 2006

ANDREW M WILLIAMS
NIKI TISCHHAUSER
PO BOX 25
TETONIA ID 83452

RE: Notice of Change of Water Right Ownership (NCO) for
22-141E and Notice of Completed Administrative Proceeding (NCAP)

Dear Claimants:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

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 the water right(s) as recorded in the SRBA.

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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JUN 04 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: 22-141E split into
22-13715 & 22-13716

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party STAEHR – STILES & WILLIAMS/TISCHHAUSER
- ☐ 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: May 30, 2007

Ernest Carlson

Signature of IDWR Representative

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JUN 04 2007

CERTIFICATE OF MAILING

I certify that on June 4, 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:
SUANNE & AMY STAEHR
400 N MEADOW LARK RD
JACKSON WY 83001

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
ROBERT & CYNTHIA STILES ANDREW M WILLIAMS
1459 BUCKSKIN DR NIKI TISCHHAUSER
SANTA MARIA CA 93454 PO BOX 25
TETONIA ID 83452

4. One copy to:

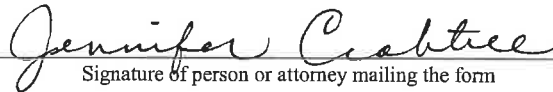
Each party in the subcase, or attorney of record
N/A

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

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JUN 04 2007

MAY 07 2007

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

Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (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).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-141E		X			

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)

Amy S. Carey (maiden name "Staehr")
 Unknown

4. New Owner/Claimant(s)

Andrew M. Williams and Niki Tischhauser
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 25

City, State and ZIP Code

Tetonia, ID 83452

New Telephone Number

(208) 354-0142

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5. Date you acquired the property

2/24/06

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 <u>22-141E</u>		
Irrigation		<u>10 acres</u>
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)



(title if applicable)

(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 _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

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JUN 04 2007

RECORDING REQUESTED BY
First American Title Company

175432

MAR 15 2006
TETON CO., ID
CLERK RECORDED

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 175432

DRIGGS, TETON, IDAHO
2006-03-15 01:53:33 No. of Pages: 3
Recorded for : FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 9.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: DEED. WARRANTY

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **151428-T (tm)**

Date: **February 24, 2006**

For Value Received, **Amy S. Carey and Ryan J. Carey, wife and husband**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Andrew M. Williams and Niki Tischhauser, husband and wife**, hereinafter called the Grantee, whose current address is **1014 North 16th Street, Boise, ID 83702**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

The true consideration for this conveyance is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantor.

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

Subject to the following Restrictions:

- 1. The property cannot be further subdivided into parcels less than five (5) acres.**
- 2. No mobile homes are allowed.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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.

175432

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JUN 04 2007

Date: 02/24/2006

Warranty Deed
- continued

File No.: 151428-T (tm)

By:

Amy S. Carey

By:

Ryan J. Carey

STATE OF

)
SS.

COUNTY OF

)

On this 13th day of March, 2006, before me, a Notary Public in and for said State, personally appeared **Amy S. Carey and Ryan J. Carey**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Rebecca L. Decelles

Notary Public of

Residing at: Gt. Barrington

Commission Expires:



Rebecca L. Decelles
Notary Public

My Commission Expires February 27, 2009
Commonwealth of Massachusetts

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EXHIBIT A

A part of the SE1/4 of Section 31, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

From the Southeast corner of said Section 31, S 89°50'17"W, 642.82 feet along the Southern section line to the TRUE POINT OF BEGINNING; Thence S 89°50'17"W, 649.43 feet along the Southern section line to a point;

Thence N 01°34'47"W, 663.60 feet to a point;

Thence N 89°39'30"E, 655.56 feet to a point;

Thence S 01°02'50"E, 665.54 feet to the POINT OF BEGINNING.

Together with a 60 foot wide Road and Utility Easement being the Western most 60 feet of a part of the SE 1/4 of Section 31, Township 6 N., Range 45E., B.M., Teton County, Idaho being further described as:

From the Southeast corner of said Section 31, S 89°50'17" W., 642.82 feet along the Southern section line and N 01°02'50" W., 665.54 feet to the true point of beginning;

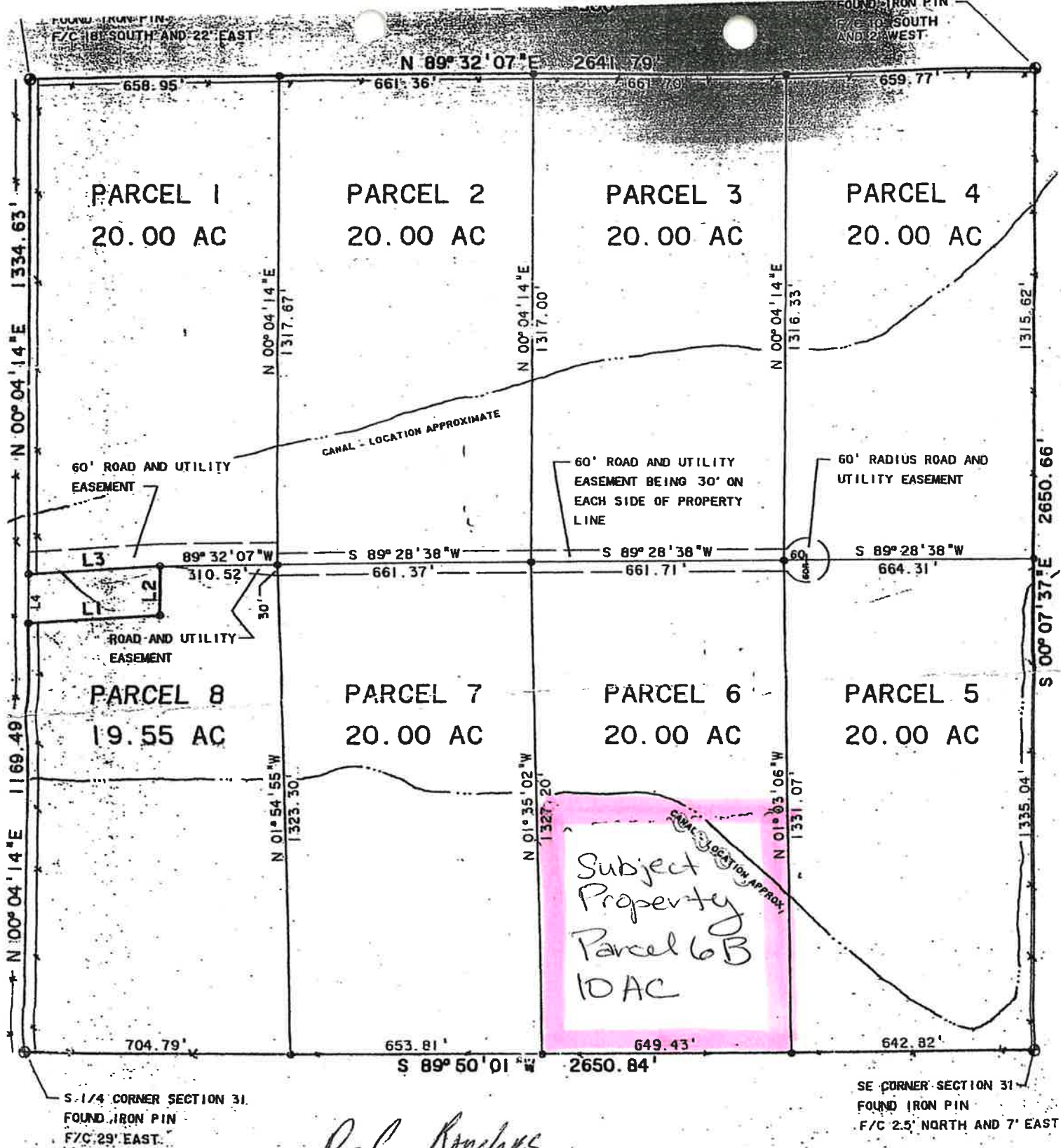
Thence S 89°39'30" W., 655.56 feet to a point;

Thence N 01°34'47" W., 663.60 feet to a point;

Thence N 89°28'54" E., 661.71 feet to a point;

Thence S 01°02'50" E., 665.54 feet to the POINT OF BEGINNING.

175432

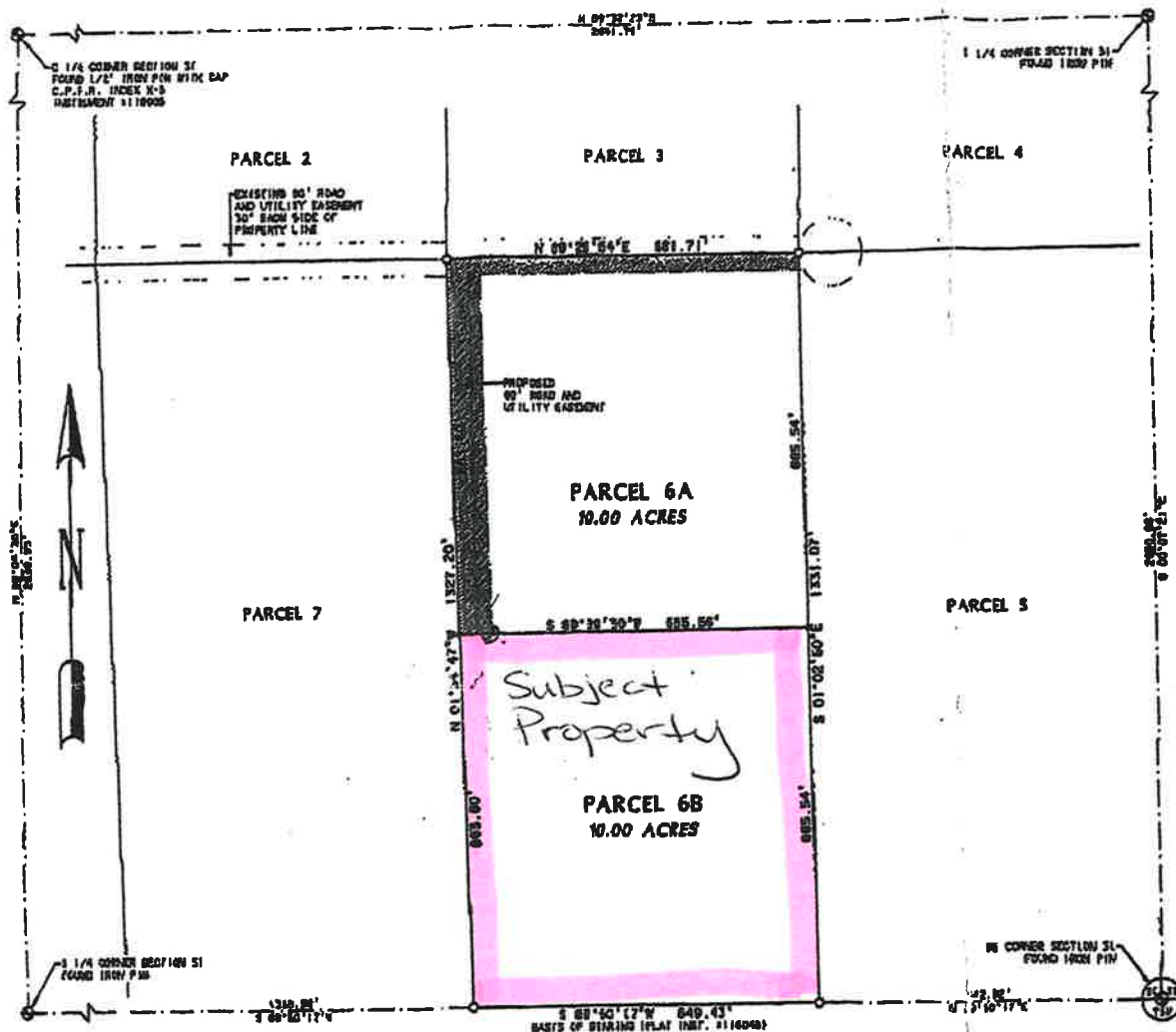


LINE DATA TABLE

LINE	BEARING	DISTANCE
1	N 89° 45' 00" E	2641.79'

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VICINITY MAP
SECTION 31, TWP. 48N., RANG. 48E., T.C., TETON COUNTY, IDAHO
SCALE 1" = 5000'

R.G. Anchors

PROPERTY DESCRIPTIONS

PARCEL 6A
A PART OF THE SE 1/4 SECTION 31, TWP. 48N., RANG. 48E., T.C., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
FROM THE SE CORNER OF SAID SECTION 31, THENCE S 89°50'11" E, 840.32 FEET ALONG THE SECTION LINE AND UNDER N 01°02'40" E, 645.54 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S 89°50'11" E, 840.32 FEET TO A POINT;
THENCE N 89°50'11" E, 840.32 FEET TO A POINT;
THENCE S 89°50'11" E, 840.32 FEET TO THE POINT OF BEGINNING.
CONTAINS 10.00 ACRES, MORE OR LESS.
SUBJECT TO A 30 FOOT ROAD AND UTILITY EASEMENT ALONG THE WESTERN PROPERTY LINE.
SUBJECT TO A 60 FOOT ROAD AND UTILITY EASEMENT ALONG THE WESTERN PROPERTY LINE.

PARCEL 6B
A PART OF THE SE 1/4 SECTION 31, TWP. 48N., RANG. 48E., T.C., TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS:
FROM THE SE CORNER OF SAID SECTION 31, THENCE S 89°50'11" E, 840.32 FEET ALONG THE SECTION LINE TO THE TRUE POINT OF BEGINNING;
THENCE S 89°50'11" E, 840.32 FEET FURTHER ALONG THE SECTION LINE TO A POINT;
THENCE N 89°50'11" E, 840.32 FEET TO A POINT;
THENCE S 89°50'11" E, 840.32 FEET TO THE POINT OF BEGINNING.
CONTAINS 10.00 ACRES, MORE OR LESS.
THENCE WITH A 60 FOOT ROAD AND UTILITY EASEMENT BEING THE HIGHWAY ON THE WEST OF THE PARCEL, BEING AS FOLLOWS:

RECEIVED
FEB - 5 2002
246627

RECORDING SURVEYOR'S CERTIFICATE

I, ARNOLD W. WOOLSTENHOLME, BEING A REGISTERED LAND SURVEYOR / ENGINEER IN THE STATE OF IDAHO, No. 2860, DO HEREBY CERTIFY THAT I HAVE CONDUCTED THE SURVEY OF THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED.



Instrument & Page
BOOK TETON/DAVID
2860-01 10456 Rn. of Page
Easement (PLANNING) EASEMENT
EASEMENT BOYLE Easement
S-Other (Easement) Easement

**RECORD OF SURVEY
LAND SPLIT**

A PART OF THE SE 1/4 SECTION 31, TWP. 48N., RANG. 48E., S.M., TETON COUNTY, IDAHO

OWNERS: AMY AND SUSAN STAHR
P.O. BOX 170
VICTOR, IDAHO 83456
(208) 787-2802

DATE: 11/08/01 PROJECT: 200K - 106
APPROVED: 11/20/01 APPROVED BY: 2740-01, S. 409 SECTION 31

LEGEND	
⊙	SECTION CORNER FOUND AS NOTED
⊙	FOUR 1/4" CORNER - 3/8" IRON PIN WITH CAP (REQUIRED) AN END 2800
⊙	SET 1/2" IRON PIN WITH CAP (REQUIRED) AS END 2800
---	SECTIONAL BOUNDARY LINE
---	EASEMENT - TYPE AND WIDTH AS NOTED

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE AT WHICH TIME THIS LAND SPLIT WAS APPROVED AND ACCEPTED.

Arnold W. Woolstenholme 1-30-02
CLERK, PLANNING AND ZONING DATE

RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF TETON)

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS _____ DAY OF _____, 2002, AT THE REQUEST OF _____, THE TRACT OWNER.

COUNTY CLERK

JUN 04 2007

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