

08/29/2007

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

RIGHT NUMBER: 22-13773

NAME AND ADDRESS: WILLIAM B HOGAN
PO BOX 581
ISLAND PARK ID 83429

DEANNA HOGAN
PO BOX 581
ISLAND PARK ID 83429

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: IRRIGATION in TETON County

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

This right is a split from former right 22-13622 .

Water is delivered through Desert Ditch.

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

SCANNED

AUG 31 2007

Idaho Department of Water Resources

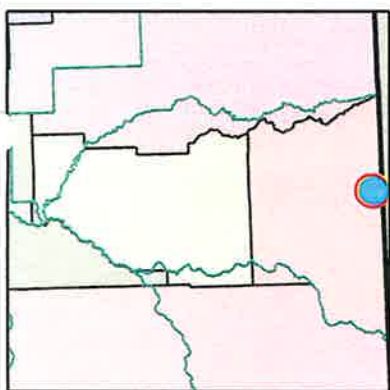
SRBA Recommendation:

22-13773

(Irrigation)

Legend

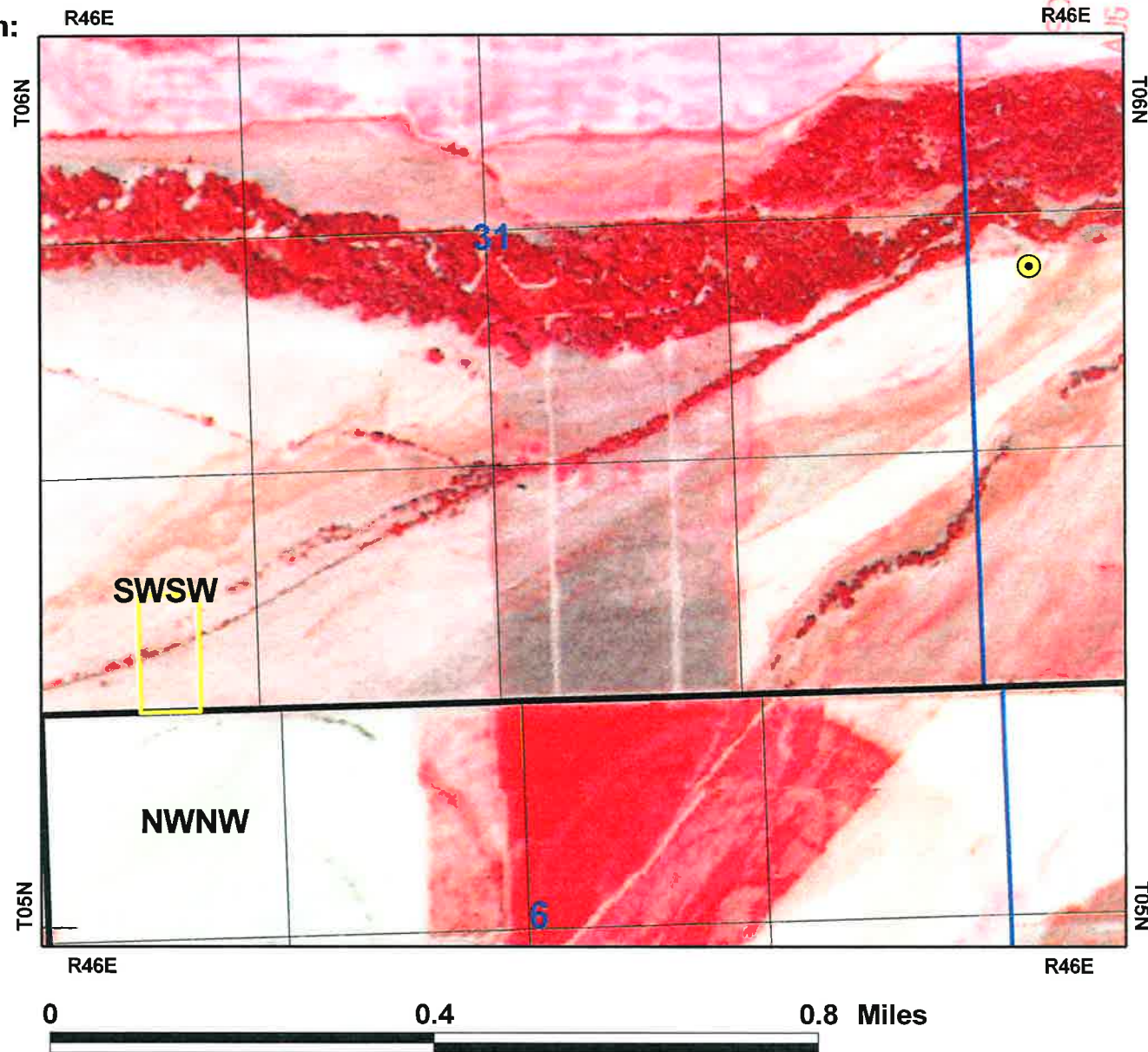
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtre
On Wednesday, August 29, 2007
1987/88 Aerial Photography



SCANNED
AUG 31 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

August 29, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

WILLIAM & DEANNA HOGAN
PO BOX 581
ISLAND PARK ID 83429

RE: Notice of Change of Water Right Ownership (NCO) for
22-13622 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Mr. and Mrs. Hogan:

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

SCANNED

AUG 31 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: 22-13622 SPLIT
INTO 22-13772 & 22-13773

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) SIMONSON – SIMONSON & HOGAN
- ☐ 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

AUG 31 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:
JUDY SIMONSON
2346 E IONA RD
IDAHO FALLS ID 83401

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JUDY SIMONSON
2346 E IONA RD
IDAHO FALLS ID 83401

WILLIAM & DEANNA HOGAN
PO BOX 581
ISLAND PARK ID 83429

4. One copy to:

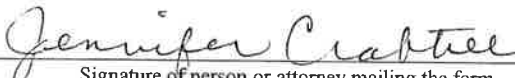
Each party in the subcase, or attorney of record
N/A

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

SCANNED

AUG 31 2007

IDAHO DEPARTMENT OF WATER RESOURCES
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER DISALLOWED: 22-13622

Split Right: See Nos. 22-13772 & 22-13773

SCANNED
AUG 31 2007

08/29/2007

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

RIGHT NUMBER: 22-13772

NAME AND ADDRESS: JUDY SIMONSON
2346 E IONA RD
IDAHO FALLS ID 83401

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.530 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	0.530 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R46E S31 Lot 3 NWSW 20.00	T06N R46E S31 Lot 4 SWSW	5.00
	25 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

This right is a split from former right 22-13622 .

Water is delivered through Desert Ditch.

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

SCANNED

AUG 31 2007

RECEIVED

DE ✓

JAN 16 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<i>WCA needed</i> 22-13622		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 usually attached to your deed or on file with the county).

OR

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 **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)

JUDY SIMONSON

2346 E IONA RD., IDAHO FALLS, ID 83401

4. New Owner/Claimant(s)

WILLIAM BART HOGAN / DEANNA HOGAN

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

New Mailing Address

P.O. BOX 581

City, State and ZIP Code

ISLAND PARK, ID 83429

New Telephone Number

208 317-2995

5. Date you acquired the property

5-09-2001

RECEIVED

JUL 10 2007

SCANNED

AUG 31 2007

T-5687

121746
WARRANTY DEED

NOT 07/95

TETON Co. Id.
Clerk Recorder

For Value Received RITA SIMONSON, a single woman, and BRAD SIMONSON, a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
GARRY E. TANK and JOANNE H. TANK, husband and wife
whose address is: 63 BRIAR HILL ROAD, ORCHARD PART, NY, 14127

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 89 degrees 42'09" East 660.00 feet to the TRUE POINT OF BEGINNING;
thence North 89 degrees 42'09" East 330.03 feet to a point;
thence North 0 degrees 28'43" East 659.98 feet to a point;
thence South 89 degrees 42'09" West 328.84 feet to a point;
thence South 0 degrees 34'57" West 660.00 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 0 degrees 34'57" East 660.00 feet to a point.

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

AMENDMENT recorded August 1, 1994 Recorder's No. 117073, Records of Teton County, Idaho.

SUBJECT TO Road easements contained in deeds, recorded as Nos. 111055, 114951, 117770, 119689, Records of Teton County, Idaho.

RESERVING to the Grantor all water, oil, gas, and mineral rights.

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: 10 - 23 - 95

Rita Simonson
RITA SIMONSON

Brad Simonson
BRAD SIMONSON

STATE OF IDAHO, COUNTY OF TETON

On this day of in the year 1995, before me, a Notary Public in and for said State, personally appeared RITA 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 she executed the same.

Notary Public of Idaho
Residing at
Commission Expires

STATE OF COUNTY OF

On this day of in the year 1995, before me, a Notary Public in and for said State, personally appeared BRAD 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.

FILED 121746
AT THE REQUEST OF

First American
Notary Public
Aug 27, 1995
John G. Hirsch
Notary Public

Notary Public of
Residing at
Commission Expires

SCANNED

AUG 31 2007

AUG 31 2007

T8655

WARRANTY DEED

142427

For Value Received Garry E. Tank and JoAnne H. Tank, husband and wife

RECEIVED

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

MAY 09 2001

William Bart Hogan, a single man

TETON CO., ID
CLERK RECORDER

whose address is: PO Box 1155, Driggs, ID 83422

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 89 degrees 42'09" East 660.00 feet to the TRUE POINT OF BEGINNING;

thence North 89 degrees 42'09" East 330.03 feet to a point;

thence North 0 degrees 28'43" East 659.98 feet to a point;

thence South 89 degrees 42'09" West 328.84 feet to a point;

thence South 0 degrees 34'57" West 660.00 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 0 degrees 34'57" East 660.00 feet to a point.

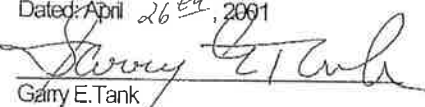
SUBJECT TO Declaration of Covenants, Conditions and Restrictions for Redfeather Ranch recorded on December 10, 1990, Recorder's No. 107164, Records of Teton County, Idaho

AMENDMENT recorded August 1, 1994 Recorder's No. 117073, records of Teton County, Idaho

TOGETHER WITH all appurtenant water rights

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 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: April 26th, 2001

 Garry E. Tank


 JoAnne H. Tank
STATE OF NEW YORKCOUNTY OF DRIGGS

Instrument # 142427

DRIGGS, TETON, IDAHO

2001-05-09 02:45:14 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy



Index to: DEED, WARRANTY

On this APRIL 26, 2001, before me GARRY E. JOANNE TANK, personally appeared Garry E. Tank and JoAnne H. Tank, husband and wife, known or identified to me (or proved to me on the oath of _____, to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


 Notary Public of STATE OF NEW YORK
 Residing at 61 ALSTILE ORCHARD PARK, NY
 Commission Expires: 5-8-02

DEBRA A. DIXON
 Notary Public, State of New York
 Qualified in Erie County
 My Commission Expires 5-8-02

142427

SCANNED

AUG 31 2007



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT 121746

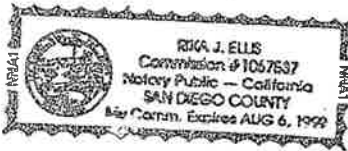
State of California

County of San Diego

On October 23, 1995 before me, Rika J. Ellis, Notary Public

personally appeared RITA SIMONSON and BRAD SIMONSON

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~are~~ subscribed to the within instrument and acknowledged to me that ~~they~~ they executed the same in ~~their~~ their authorized capacity(ies), and that by ~~their~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Rika J. Ellis
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: WARRANTY DEED

Document Date: October 23, 1995 Number of Pages: 1

Signer(s) Other Than Named Above: NO OTHER SIGNERS

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
 Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT NUMBER
DESIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
 Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT NUMBER
DESIGNER
Top of thumb here

Signer Is Representing: _____

142428

RECEIVED

MAY 09 2001

TETON CO., ID
CLERK RECORDER

QUITCLAIM DEED

For Value Received WILLIAM BART HOGAN, a single man

do hereby convey, release, remise and forever quit claim unto

WILLIAM B. HOGAN, a single man, and DEANNA HOGAN, an unmarried woman

whose address is: PO BOX 1155, DRIGGS, ID 83422

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 89 degrees 42'09" East 660.00 feet to the TRUE POINT OF BEGINNING;

thence North 89 degrees 42'09" East 330.03 feet to a point;

thence North 0 degrees 28'43" East 659.98 feet to a point;

thence South 89 degrees 42'09" West 328.84 feet to a point;

thence South 0 degrees 34'57" West 660.00 feet to the POINT OF BEGINNING.

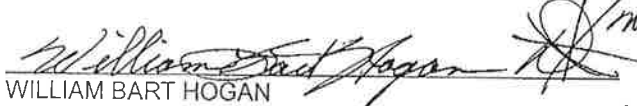
TOGETHER WITH and SUBJECT TO a 60 foot wide road and utility easement, being 30 feet on either side of the following described centerline:

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 0 degrees 34'57" East 660.00 feet to a point.

together with their appurtenances.

Dated: 5-8-01


 WILLIAM BART HOGAN

Instrument # 142428

DRIGGS, TETON, IDAHO

2001-05-09 02:55:18 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy

E. Smith

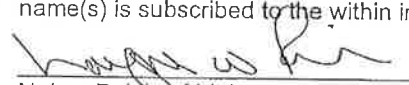
Index to: DEED, QUIT-CLAIM

STATE OF Idaho)

)ss.

COUNTY OF Teton

On this 08 day of May, in the year of 2001, before me, personally appeared WILLIAM BART HOGAN, known or identified to me (or proved to me on the oath of), 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 Idaho

Residing at: DRIGGS, ID

Commission Expires: 12-01-06

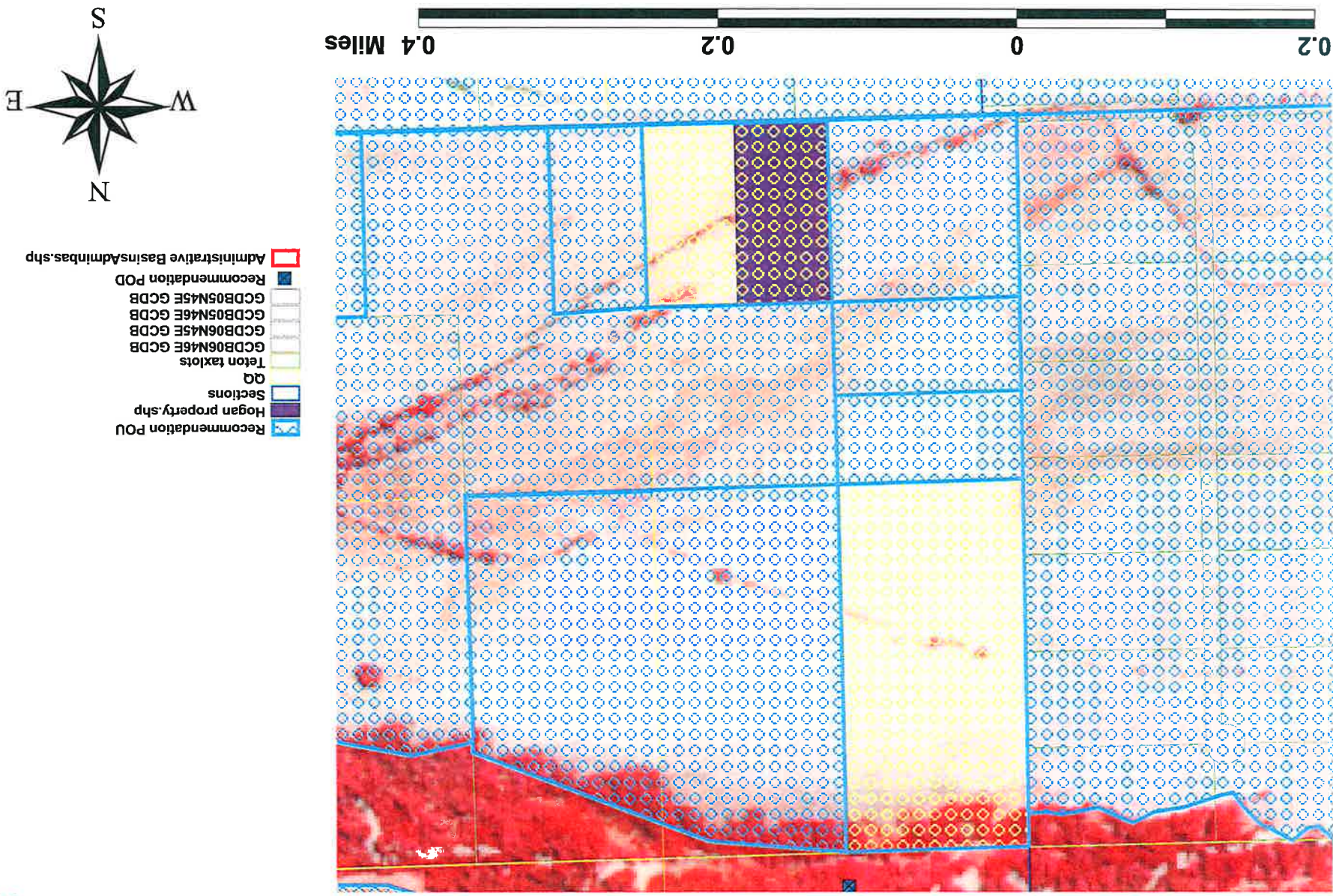
 LAYNE W. PRICE
 NOTARY PUBLIC
 STATE OF IDAHO

SCANNED

AUG 31 2007

142428

Water Right 22-13622 Hogan Property



SCANNED

AUG 3 1 2007