

04/16/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER
22-13198

CLAIM DISPOSITION REASON
Disallowed
Split into: 22-13849 & 22-13850

SEARCHED
APR 21 2008
APR 21 2008

04/16/2008

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

RIGHT NUMBER: 22-13849
NAME AND ADDRESS: JAMES W BUSH
PO BOX 180
TETONIA ID 83452

SOURCE: BADGER CREEK
QUANTITY: 1.040 CFS
PRIORITY DATE: 06/01/1898

TRIBUTARY: TETON RIVER

POINT OF
DIVERSION: T06N R45E S7 NWNWNE Within TETON County
T06N R45E S7 NENENW Within TETON County
T06N R45E S8 NWSENE 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	1.040 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R44E S01 SWNE 27.00

27 ACRES TOTAL

27.0

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-13196 and
22-13198.

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 22-13198.

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

This right is a split from former right 22-286.

Water is delivered through Ricks Canal.

04/16/2008

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

RIGHT NUMBER: 22-13850
NAME AND ADDRESS: RUSSELL TALBOT
9105 DORELL LANE
LAS VEGAS NV 89149
SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.160 CFS
PRIORITY DATE: 06/01/1898
POINT OF
DIVERSION: T06N R45E S7 NWNWNE Within TETON County
T06N R45E S7 NENENW Within TETON County
T06N R45E S8 NWSENE 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	0.160 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R44E S01 Lot 2 NWNE	4.10	
	4.1 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 4.1 acres in a single irrigation season. Combined Right Nos.: 22-13196 and 22-13198.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 22-286.

This right is a split from former right 22-13198 .

Water is delivered through Ricks Canal.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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APR 21 2008

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: 22-13198
(Split into 22-13849 & 22-13850)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

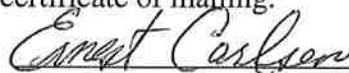
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BUSH-TALBOT
- ☐ 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: 4-17-08

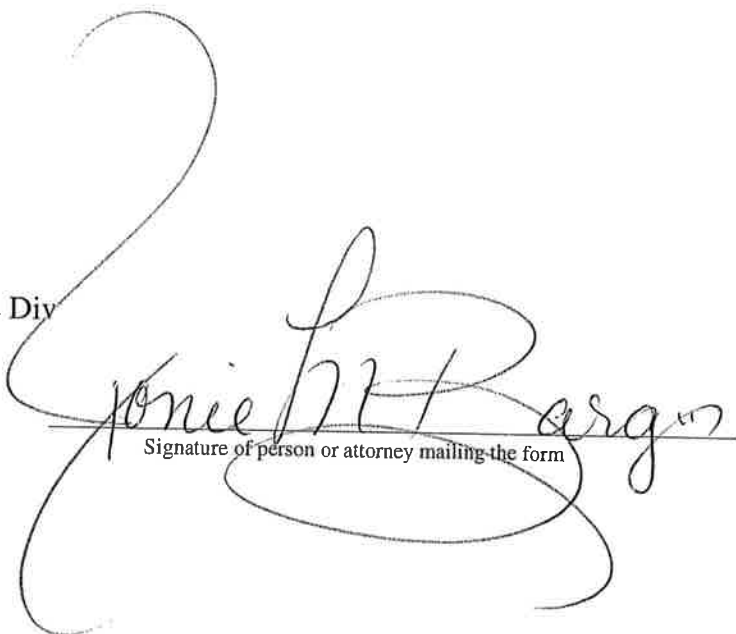


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 21, 2008, 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:
James W Bush
PO Box 180
Tetonia ID 83452
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Russell Talbot
9105 Dorell Ln
Las Vegas NV 89149
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



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

April 16, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RUSSELL TALBOT
9105 DORELL LN
LAS VEGAS NV 89149

RE: Notice of Change of Water Right Ownership (NCO) for
22-13196 (Split into 22-13847 & 22-13848) and 22-13198 (Split into 22-13849 &
22-13850) and Notice of Completed Administrative Proceeding (NCAP)

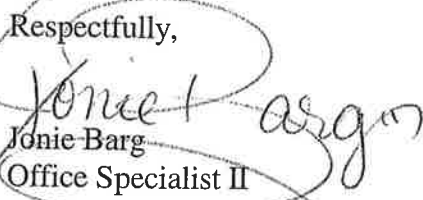
Dear SIR/MADAM:

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,


Jonie Barg
Office Specialist II

Enclosure

cc: James W Bush

Split/Overlap Analysis

Water Right Number: 22-13198

Total Diversion Rate: 1.20

A-Feet 0

Acre-Limit 31.10

Total Acres 31.1

Twp	Rng	Sec	QQ	Lot	Parent	Children							
					22-13198	22-13849	22-13850						
					31.1	27.0	4.1						
					31.1	27.0	4.1	0.0	0.0	0.0	0.0	0.0	Total Children Acreage 31.1

Water Right To Be Split	CFS	Acres	CFS per ACRE	A-Feet	af/acre	Acre-Limit	ACRE RATIO
22-13198	1.20	31.1	0.0386	0	0	31.1	1
Children							
22-13849	1.04	27.0	0.03859	0.00	0	27.0	1
22-13850	0.16	4.1	0.03859	0.00	0	4.1	1
	1.20	31.1		0		31.1	

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).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	22-13196	✓			
	22-13198	✓			

RECEIVED

DEC 17 2007

Department of Water Resources
Eastern Region

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)

James and Mary Lou Bush
Teton, Idaho

4. New Owner/Claimant(s)

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

New Mailing Address

9105 Dorell Lane

City, State and ZIP Code

Las Vegas, NV 89149

New Telephone Number

(702) 300-7525 Email: russ@rimrockengineering.com

5. Date you acquired the property

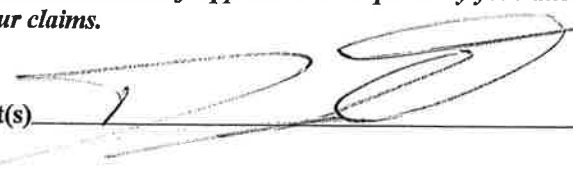
June 06

APR 21 2008

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>22-13196</u>		
Irrigation	<u>0.16</u>	<u>4.1 ACRES</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>22-13198</u>		
Irrigation	<u>0.16</u>	<u>4.1 ACRES</u>
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 _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

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

SEARCHED
 APR 21 2009

Instrument # 178295

DRIGGS, TETON, IDAHO

2006-07-03

02:04:51 No. of Pages: 2

Recorded for: ALLIANCE TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

178295

RECEIVED

305016473

JUL 13 2006

Alliance Title & Escrow Corp.

P.O. Box 644

Driggs, Idaho 83422

WARRANTY DEED

The James W. Bush and Mary Lou Bush Family Trust, P.O. Box 180, Teton, Idaho 83452, as GRANTORS, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Russell W. Talbot, 9105 Dorrell Lane, Las Vegas, Nevada 89149, as GRANTEE, and to ^{an unmarried person} GRANTEES successors and assigns forever, all of the following described property situated in Teton County, Idaho:

The East 1/2 West 1/2 of Government Lot 2, Section 1, Township 6 North, Range 44 East, Boise Meridian, Teton County, Idaho

Restriction. The above parcel cannot be further split under the provisions of the Teton County Subdivision Ordinance, Article 1-7-16: One Time Only Split of One Parcel of Land, June, 14 1999.

Restriction. The above parcel cannot be further split or subdivided.

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 the parties.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

SUBJECT to existing liens and encumbrances and all existing patent reservations, easements, rights of way, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations apparent or of record.

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument this 30 day of June, 2006.

GRANTOR:

The James W. Bush and Mary Lou Bush Family Trust:

James W. Bush
James W. Bush, Trustee

Mary Lou Bush
Mary Lou Bush, Trustee

178295

1 - WARRANTY DEED

SCANNED

APR 21 2008

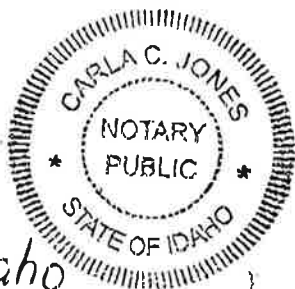
Received Time Dec. 17. 12:23PM

3050614738TD

State of Idaho }
County of Teton } ss.

On this 30 day of June 2006, before me, a Notary Public in and for said state, personally appeared James W. Bush known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of The James W. Bush and Mary Lou Bush Family Trust, and acknowledged to me that he executed the same as Trustee.

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

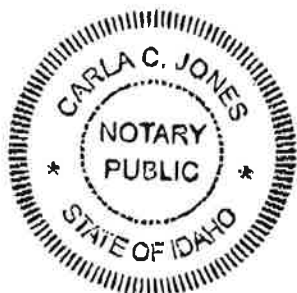


Carla C. Jones
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires 11/19/2011

State of Idaho }
County of Teton } ss.

On this 30 day of June 2006, before me, a Notary Public in and for said state, personally appeared Mary Lou Bush known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of The James W. Bush and Mary Lou Bush Family Trust, and acknowledged to me that he executed the same as Trustee.

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

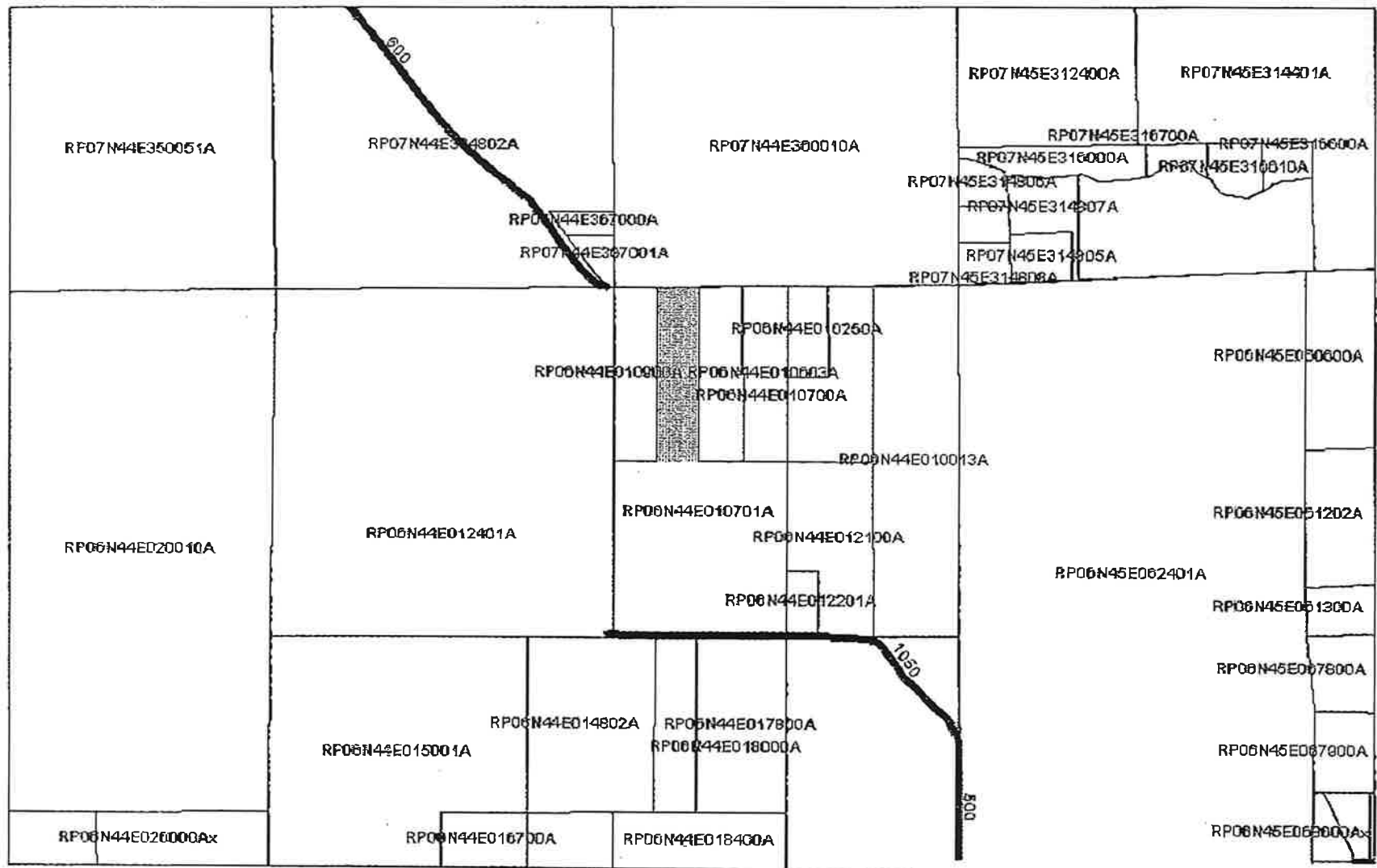


Carla C. Jones
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires 11/19/2011

178235

SCANNED

APR 21 2003



ALLIANCE

TITLE & ESCROW CORP.

This map furnished as an accommodation, strictly for the purpose of generally locating the land. It does not represent a survey of the land or imply any representations as to the size, area or any other facts related to the land shown herein. No liability is assumed hereto for any incorrectness with actual survey.