

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

RIGHT NUMBER: 22-13878

NAME AND ADDRESS:

AARON POWERS
PO BOX 669
VICTOR ID 83455

KATHERINE HANSON
PO BOX 1750
MISSOULA MT 59806

MEGHAN HANSON
PO BOX 669
VICTOR ID 83455

THOMAS HANSON
PO BOX 1750
MISSOULA MT 59806

SOURCE:

Source:
BADGER CREEK

Tributary:
TETON RIVER

QUANTITY:

0.440 CFS

~~0.390 CFS~~

PRIORITY DATE:

06/01/1891

POINT OF DIVERSION:

T06N R45E S8 NWNESE
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.440 CFS

~~0.390 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T06N R45E S08 SWSW 2.0

T06N R45E S17 NWNW 17.0

19 ACRES TOTAL

Right Nos. 22-13878 and 22-13881 are limited to the irrigation of a combined total of 19 acres in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 19 acres in a single irrigation season. Combined Right Nos.: 22-13878, 22-13881, and 22-13884.~~

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

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 Stewart Ditch.

This right is a split from former right 22-174B.

~~This right is a split from former right 22-13374.~~

09/11/2008

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

RIGHT NUMBER: 22-13878

NAME AND ADDRESS: THOMAS HANSON
PO BOX 1750
MISSOULA MT 59806

KATHERINE HANSON
PO BOX 1750
MISSOULA MT 59806

MEGHAN HANSON
PO BOX 669
VICTOR ID 83455

AARON POWERS
PO BOX 669
VICTOR ID 83455

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.390 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.390 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S08	SWSW	2.00	T06N R45E S17	NWNW	17.00
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19 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 19 acres in a single irrigation season. Combined Right Nos.: 22-13878, 22-13881, and 22-13884.

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 22-13374 .

Water is delivered through Stewart Ditch.



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

November 25, 2008

SHANNON DEE HUMBLE
PO BOX 506
VICTOR ID 83455-0506

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
22-13881, 22-13882, 22-13903, 22-13904, 22-13905, & 22-13906); and 22-13380 (Split into 22-13884, 22-
13885, 22-13907, 22-13908, 22-13909, & 22-13910) 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). Once IDWR processes the change of ownership, IDWR mails a copy of the updated water right record(s) (Director's Report) to each party listed on the NCAP. Enclosed please find the relevant NCAP(s) for your right(s). The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

You may recall the initial hearings held in Rexburg on August 19, 2008. During those hearings the present parties discussed changes that needed to be made to resolve issues related to place of use, acreage and diversion rate for the aforementioned water rights. You may notice that the changes discussed at the initial hearings are not reflected in the enclosed Director's Report. Those changes were excluded from this version of the Director's Report solely because the purpose of the NCAP is simply to inform the parties and the SRBA Court of the changes in ownership. A Standard Form 5 (SF5) settlement document will follow shortly under separate cover. The SF5 will incorporate the corrections that we discussed at the initial hearings. Once the parties sign the SF5 settlement documents for these water rights, the SF5s will be sent to Special Master Bilyeu for her review and then to Judge Melanson for partial decree.

Please feel free to contact me at 525-7161 if you have any questions concerning this matter.

Respectfully,


Michael Holliday

Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 03 2008



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

November 25, 2008

AARON POWERS
MEGHAN HANSON
PO BOX 669
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for
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Respectfully,


Michael Holliday

Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED
DEC 08 2008



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

November 25, 2008

BEULAH BROWER
947 HWY 32
TETONIA ID 83452

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
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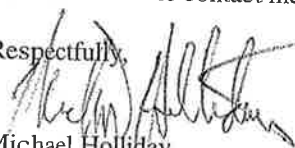
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Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED

DEC 08 2008



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

November 25, 2008

W REID & MARJEAN BROWER
FAMILY TRUST
881 HWY 32
TETONIA ID 83452

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
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Respectfully,


Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED
DEC 08 2008



State of Idaho

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EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

STATE OF IDAHO
IDAHO TRANSPORTATION DEPARTMENT
PO BOX 97
RIGBY ID 83442-0097

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
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Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARJEAN BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED
DEC 08 2008



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

November 25, 2008

TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
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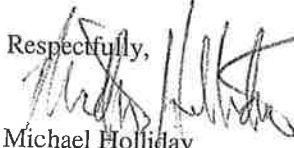
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Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED
DEC 08 2008



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

November 25, 2008

THOMAS HANSON
KATHERINE HANSON
PO BOX 1750
MISSOULA MT 59806

RE: Notice of Change of Water Right Ownership (NCO) for
22-13374 (Split into 22-13878, 22-13879, 22-13899, 22-13900, 22-13901, & 22-13902); 22-13377 (Split into
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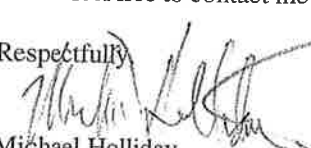
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Michael Holliday
Water Resource Agent, Sr.

Enclosure

cc: W REID BROWER
MARGENE BROWER
EDWARD BROWER
KOLENE LATER C/O JERRY RIGBY

SCANNED
DEC 08 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: 22-13374
(Split into 22-13878, 22-13879, 22-
13899, 22-13900, 22-13901 & 22-13902)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

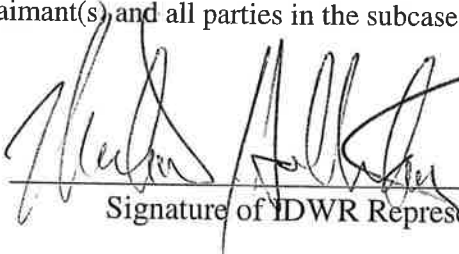
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BROWER & LATER-HANSON & POWERS, TETONIA PROPERTIES
LLC, BROWER, BROWER FAMILY TRUST, HUMBLE, IDAHO DEPARTMENT OF
TRANSPORTATION
- ☐ 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: 11/25/2008


Signature of IDWR Representative

SCANNED
DEC 03 2008

CERTIFICATE OF MAILING

I certify that on Nov. 26, 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:

W Ried Brower	Edward Brower	Kolene Later
Marjean Brower	947 N Hwy 32	C/O Jerry Rigby
881 N Hwy 32	Tetonia ID 83452	25 N 2 nd E
Tetonia ID 83452		PO Box 250
		Rexburg ID 83440-0250

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

Thomas Hanson	Tetonia Properties LLC	W Reid & Marjean Brower
Katherine Hanson	C/O Pete Freymann	Family Trust
PO Box 1750	394 S 100 W	881 Hwy 32
Missoula MT 59806	Victor ID 83455	Tetonia ID 83452

Aaron Powers	Beulah Brower	Shannon Dee Humble
Meghan Hanson	947 Hwy 32	PO Box 506
PO Box 669	Tetonia ID 83452	Victor ID 83455-0506
Victor ID 83455		

State of Idaho
Idaho Department of Transportation
PO Box 97
Rigby ID 83442-0097

SCANNED
DEC 03 2008

CERTIFICATE OF MAILING (Cont)

4. One copy to:

Each party in the subcase, or attorney of record

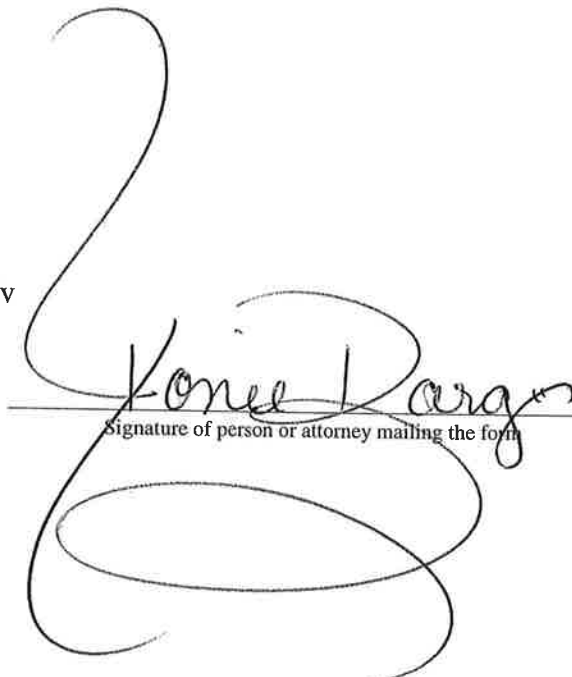
Thomas Hanson	Beulah Brower
C/O Barton J Birch	Kolene Later
81 N Main St Ste B	C/O Jerry R Rigby
Driggs ID 83442	25 N 2 nd E
	PO Box 250
	Rexburg ID 83440-0250

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
DEC 03 2008

11/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

22-13374

Disallowed

Split into: 22-13878, 22-13879, 22-13899, 22-13900,
22-13901 & 22-13902

SCANNED
DEC 03 2008

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13879

NAME AND ADDRESS: TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.310 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.310 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S17

NWNW

14.80

14.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 14.8 acres in a single irrigation season. Combined Right Nos.: 22-13879, 22-13882, and 22-13885.

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 Stewart Ditch.

This right is a split from former right 22-13374 .

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13899

NAME AND ADDRESS: BEULAH BROWER
947 HWY 32
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.760 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.760 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S08	NESW	7.90	T06N R45E S08	NWSW	26.00
T06N R45E S08	SWSW	2.20	T06N R45E S08	SESW	0.90

37 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 37 acres in a single irrigation season. Combined Right Nos.: 22-13899, 22-13903, and 22-13907.

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 Stewart Ditch.

This right is a split from former right 22-174B.

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13900

NAME AND ADDRESS: W REID AND MARJEAN BROWER FAMILY TRUST
881 HWY 32
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.720 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17	NWNW	2.50	T06N R45E S17	SWNW	34.00
36.5 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season. Combined Right Nos.: 22-13900, 22-13904, and 22-13908.

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 Stewart Ditch.

This right is a split from former right 22-174B.

SCANNED
DEC 03 2003

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

RIGHT NUMBER: 22-13901

NAME AND ADDRESS: SHANNON DEE HUMBLE
PO BOX 506
VICTOR ID 83455-0506

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.170 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.170 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17	NWNW	0.20	T06N R45E S17	SWNW	3.90
T06N R45E S17	SENW	4.70			

8.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 8.8 acres in a single irrigation season. Combined Right Nos.: 22-13901, 22-13905, and 22-13909.

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 22-174B.

Water is delivered through Stewart Ditch.

SCANNED
DEC 03 2008

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

RIGHT NUMBER: 22-13902

NAME AND ADDRESS: STATE OF IDAHO
IDAHO TRANSPORTATION DEPT
PO BOX 97
RIGBY ID 83442-0097

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.090 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S17 SENW 4.30

4.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4.3 acres in a single irrigation season. Combined Right Nos.: 22-13902, 22-13906, and 22-13910.

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 22-174B.

Water is delivered through Stewart Ditch.

SCANNED
DEC 03 2008



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.
Interim Director

April 10, 2007

THOMAS, KATHERINE, & MEGHAN HANSON
& AARON POWERS
P O BOX 1750
MISSOULA MT 59806

Ladies and Gentlemen:

Earlier this year you filed a change of ownership form for water right claims 22-13374, 22-13377, and 22-13380 in the Snake River Basin Adjudication (SRBA). As you may recall, it was discovered that the Director's Report for these claims, as well as other claims filed on the property of former owner Edward W. Brower, was in error. The errors were discovered while attempting to process the ownership change you submitted. There were problems with IDWR's recommendations in regards to ownership, place of use, acreage, and diversion rate. The primary cause of these problems was that earlier ownership changes had not been processed to accurately reflect the deeds.

If these issues are not resolved, these rights will be decreed with significant errors. That will make administration and any future transactions associated with these rights very challenging. The purpose of this letter is to solicit your help in the resolution of these issues. Apart from objections being filed with the court, we cannot correct these errors. Please consider filing an objection to these recommendations if they appear to you to be in error. From my perspective, the benefits for you would include an accurate place of use description and additional water for your property.

Enclosed you will find a map illustrating the Brower Place rights as shown in the Director's Report and another map illustrating what I believe should be the proper place of use of the Brower Place rights. I have also enclosed an objection form and instructions.

Please feel free to contact me at 208-525-7161 if you have any questions or concerns regarding this matter.

Sincerely,

Michael Holliday
Water Resource Agent
Adjudication Bureau

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)
	22-13374	✓			
	22-13377	✓			
	22-13380	✓			

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)

EDWARD BROWER
 947 N HWY 32, TETONIA, ID 83452

4. New Owner/Claimant(s)

THOMAS, KATHERINE, + MEGHAN HANSON + AARON POWERS
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

PO BOX 1750

City, State and ZIP Code

MISSOULA, MT 59806

New Telephone Number

()

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: www.idwr.idaho.gov.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s).
4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or" as indicated on your deed or other evidence of ownership

RECEIVED

137297

APR 10 2000

NOTICE OF CONTRACT OF SALE

TETON CO., ID
CLERK RECORDER

NOTICE IS HEREBY GIVEN, that **EDWARD "TED" WALTON BROWER** and **BEULAH PEARL BROWER**, husband and wife, of 947 North Highway 32, Felt, Idaho 83424, hereinafter called, hereinafter called "Sellers", are selling on written Contract of Sale, dated August 23, 1999, to **DAVE L. OVESON** and **MARGARET L. OVESON**, husband and wife, of P. O. Box 189, Tetonia, Idaho, 83452, hereinafter called "Buyers", the following described real property in Teton County, State of Idaho, to-wit:

A part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, Twp. 6 N., Rge. 45 E., Boise Mer., being further described, as follows:

Commencing at the Southwest corner of Sec. 8, Twp. 6 N., Rge. 45 E., Boise Mer., and running thence N 01° 22' 28" E 68.78 feet to a point; thence N 89° 57' 10" E 1170.00 feet to a point; thence S 01° 22' 28" W 68.78 feet, more or less, to the South line of Sec. 8; thence West along the section line 1170 feet, more or less, to the point of beginning.

Containing 1.85 acres, more or less.

Without any water rights because Buyers are acquiring adjoining land on the south with water rights that will also be appurtenant to this land.

Together with any and all other improvements and appurtenances thereto, rents, issues and profits thereof, and reversions and remainders.

Subject to any and all easements of record or in existence for roads, ditches, pipelines and utilities, and to all applicable zoning, subdivision and land use restrictions, including but not limited to any scenic corridor restrictions as to State Highway No. 32 adjacent to the West boundary of the property, and applicable building codes and environmental restrictions.

Buyers shall have no right to cross property of Merrill Brower & Sons, Inc., on the north of the property conveyed to obtain access to a County Road that may be constructed on that property.

The Contract of Sale is payable in eight (8) installments, beginning December 31, 2000, with the final payment due and owing on January 26, 2004. Reference is made to the Contract of Sale, dated March 30, 2000 for further particulars.

137297
FILED

AT THE REQUEST OF

Gordon Hatcher

AT 30 MINUTES PAST 1 P.M.

DATE April 10, 2000

Dolan L. Boudle

CLERK OF RECORD

BY *J. J. Hatcher*

137298

Acknowledgment

STATE OF IDAHO)
County of MADISON) ss.

On this 30th day of March, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **Edward "Ted" Walton Brower and Beulah Pearl Brower**, husband and wife, and **Dave L. Oveson and Margaret L. Oveson**, husband and wife, known to me to be the persons whose names are subscribed to the within Notice of Contract of Sale and acknowledged to me that they executed the same.



Gordon S. Thatcher
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission expires 1/03/2003

137298

137297

IN WITNESS WHEREOF, the parties have executed this contract.

SELLERS:

Edward "Ted" Walton Brower
Edward "Ted" Walton Brower

Beulah Pearl Brower
Beulah Pearl Brower

BUYERS:

Dave L. Oveson
Dave L. Oveson

Margaret L. Oveson
Margaret L. Oveson

Acknowledgment

STATE OF IDAHO)
County of MADISON) ss.

On this 30th day of March, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **Edward "Ted" Walton Brower and Beulah Pearl Brower**, husband and wife, and **Dave L. Oveson and Margaret L. Oveson**, husband and wife, known to me to be the persons whose names are subscribed to the within Notice of Contract of Sale and acknowledged to me that they executed the same.



Gordon S. Thatcher
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission expires: 1-3-2003

137297

RECEIVED

DEC 31 2001

TETON CO., ID
CLERK RECORDER

146111

WARRANTY DEED

Instrument # 146111

DRIGGS, TETON, IDAHO

2001-12-31

02:17:12 No. of Pages: 2

Recorded for : RIGBY, THATCHER, ANDRUS

NOLAN G. BOYLE

Fee: 6.00

Ex-Officio Recorder Deputy *M. Dean*

Index to: DEED, WARRANTY

FOR VALUE RECEIVED, EDWARD "TED" WALTON BROWER and BEULAH PEARL BROWER, husband and wife, of 947 North Highway 32, Felt, Idaho 83424, hereinafter called "Grantors", do hereby grant, bargain, sell, warrant and convey unto **DAVE L. OVESON and MARGARET L. OVESON**, husband and wife, of P. O. Box 189, Tetonia, Idaho, 83452, hereinafter called "Grantees", the following described real property in Teton County, Idaho, to-wit:

A part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, Twp. 6 N., Rge. 45 E., Boise Mer., being further described, as follows:

Commencing at the Southwest corner of Sec. 8, Twp. 6 N., Rge. 45 E., Boise Mer., and running thence N 01° 22' 28" E 68.78 feet to a point; thence N 89° 57' 10" E 1170.00 feet to a point; thence S 01° 22' 28" W 68.78 feet, more or less, to the South line of Sec. 8; thence West along the section line 1170 feet, more or less, to the point of beginning.

Containing 1.85 acres, more or less.

Without any water rights because Grantees are acquiring adjoining land on the south with water rights that will also be appurtenant to this land.

Together with any and all other improvements and appurtenances thereto, rents, issues and profits thereof, and reversions and remainders.

Subject to any and all easements of record or in existence for roads, ditches, pipelines and utilities, and to all applicable zoning, subdivision and land use restrictions, including but not limited to any scenic corridor restrictions as to State Highway No. 32 adjacent to the West boundary of the property, and applicable building codes and environmental restrictions.

Grantees shall have no right to cross property of Merrill Brower & Sons, Inc., on the north of the property conveyed to obtain access to a County Road that may be constructed on that property.

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantees by this Deed free from all encumbrances except those listed above and accruing year 2000 property taxes.

146111

DATED This 30th day of March, 2000.


Edward "Ted" Walton Brower


Beulah Pearl Brower

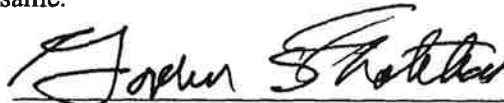
STATE OF IDAHO,)

ss.

County of Madison)

On this 30th day of March, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared, **Edward "Ted" Walton Brower** and **Beulah Pearl Brower**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.





Notary Public for Idaho

Residing at Rexburg, Idaho

My Commission Expires: 1-03-2003

146111

RECORDING REQUESTED BY
First American Title Company

176223

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

Instrument # 176223
DRIGGS, TETON, IDAHO
2006-04-20 04:00:53 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE
NOLAN G. BOYLE
Ex-Officio Recorder Deputy *[Signature]* Fee: 9.00
Index to: DEED, WARRANTY

APR 20 2006
TETON CO. ID
CLERK OF DISTRICT COURT

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 159233-T (1m)

Date: April 17, 2006

For Value Received, **Jerry Little and Stacie Little, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Thomas Hanson and Katherine Hanson, husband and wife, as to an undivided 75% interest; Meghan Hanson, a single woman AND Aaron Powers, a single man, as joint tenants, as to an undivided 25% interest.**, hereinafter called the Grantee, whose current address is **PO Box 1750, Missoula, MT 59806**, the following described premises, situated in **Teton County, Idaho**, to-wit:

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

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.

176223

EXHIBIT A

A PART OF SECTIONS 8 AND 17, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 17 AND RUNNING THENCE S01°22'28"W, 129.38 FEET TO THE INTERSECTION OF THE SECTION LINE AND THE EAST HIGHWAY RIGHT-OF-WAY LINE OF STATE HIGHWAY 32; THENCE ALONG SAID RIGHT-OF-WAY S00°16'03"W, 508.85 FEET; THENCE S89°56'21"E, 1160.11 FEET; THENCE N01°22'28"E, 640.57 FEET TO THE NORTH LINE OF SAID SECTION 17; THENCE CONTINUING N01°22'28"E, 68.78 FEET; THENCE S89°57'10"W, 1170.00 FEET TO THE WEST SECTION LINE OF SECTION 8; THENCE S01°22'28"W, 68.78 FEET ALONG SAID SECTION LINE TO THE SOUTHWEST CORNER OF SAID SECTION 8 AND THE POINT OF BEGINNING.

176223

Date: 04/17/2006

Warranty Deed
- continued

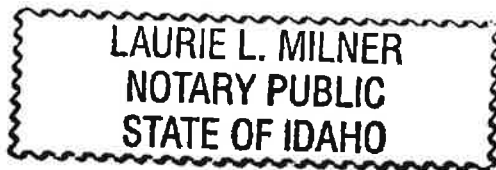
File No.: 159233-T (1m)

Jerry Little
Jerry Little

Stacie Little
Stacie Little

STATE OF Idaho)
COUNTY OF Teton)
SS.

On this 20 day of April, 2006, before me, a Notary Public in and for said State, personally appeared **Jerry Little and Stacie Little**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Laurie L. Milner
Notary Public for the State of Idaho
Residing at: *Tetonia*
My Commission Expires: *8/19/2011*

176223

176246

WARRANTY DEED

APR 24 2006

TETON CO., ID
CLERK OF DISTRICT COURT

For Value Received **Dave L. Oveson and Margaret L. Oveson, husband and wife**

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

Thomas Hanson and Katherine Hanson, husband and wife, as to an undivided 75% interest; Meghan Hanson, a single woman AND Aaron Powers, a single man, as joint tenants, as to an undivided 25% interest.

whose address is: **PO Box 1750 City/State/Zip Missoula, MT 59806**

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

Instrument # 176246

DRIGGS, TETON, IDAHO

2006-04-21

03:11:17 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE CO

NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 8.00

SEE ATTACHED EXHIBIT "A"

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.

Dated:

Dave L. Oveson
Dave L. Oveson

Margaret L. Oveson
Margaret L. Oveson

STATE OF IDAHO)

)ss.

COUNTY OF TETON)

On this 20 day of April, in the year of 2006, before me a Notary Public, personally appeared **Dave L. Oveson** and **Margaret L. Oveson**, 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.

Laurie L. Milner
Notary Public of Idaho
Residing at *Tetonia*
Commission Expires: *8/19/2011*



176246

A part of the NW¼NW¼ of Sections 8 and 17, Twp. 6N., Rge. 45 E., Boise, Meridian, Teton County, Idaho being further described, as follows;

Beginning at the Northwest corner of said Section 17 and running thence S 01°22'28"W, 129.38 feet to the intersection of the section line and the East Highway right-of-way line of State Highway 32; thence along said right-of-way S 00°16'03"W, 508.85 feet; thence S 89°56'21"E, 1160.11 feet; thence N 01°22'28"E, 640.57 feet to the North line of said Section 17; thence continuing N 01°22'28"E, 68.78 feet; thence S 89°57'10"W, 1170.00 feet to the West section line of Section 8; thence S 01°22'28"W, 68.78 feet along said section line to the Southwest corner of said Section 8 and the point of beginning.

Together with all irrigation water rights appurtenant thereto from Badger Creek, tributary of Teton River; together with 1/8th interest in the pump in Badger Creek and mainline extending next to the South boundary of the following described property;

A part of the NW¼NW¼ of Section 17, Twp. 6N., Rge. 45 E., Boise, Meridian, Teton County, Idaho being further described, as follows; From the Southwest corner of the Northwest 1/4 of said Section 17, running N 01°22'28"E, 1386.65 feet along the West section line, thence N 89°56'21"E, 22.37 feet to the POINT OF BEGINNING said point is on the Easterly right-of-way line of State Highway 32, and running thence along said right-of-way N 00°13'58"E, 82.24 feet to a Highway monument; thence continuing along said right-of-way N 00°16'03"E, 563.80 feet; thence N 89°56'21"E, 1160.11 feet; thence S 01°22'28"W, 646.21 feet; thence N 89°56'21"W, 1147.58 feet to the POINT OF BEGINNING with access thereto, along the East 8' of said property with the duty to share in the same proportion in power bills in operating the pump and expenses of maintenance, repairs and replacement of pump and appurtenances and the mainline (subject to the duty to negotiate terms of co-use with the other co-owners); and together with 17 pieces of irrigation lateral line.

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STATE OF Idaho

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COUNTY OF Teton

On this 21 day of April, 2006, before me a Notary Public, personally appeared Dave L. Oveson, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Laurie L. Milner

Notary Public of: Idaho

Residing at: Teton

Commission Expires: 8/19/2011

LAURIE L. MILNER
NOTARY PUBLIC
STATE OF IDAHO

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