

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

RIGHT NUMBER: 22-13903

NAME AND ADDRESS:

BEULAH BROWER
947 HWY 32
TETONIA ID 83452

SOURCE:

Source:
BADGER CREEK

Tributary:
TETON RIVER

QUANTITY:

0.870 CFS

~~0.760 CFS~~

PRIORITY DATE:

01/18/1905

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

0.870 CFS

~~0.760 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T06N R45E S08 NESW 7.5

~~T06N R45E S08 NESW 7.9~~

T06N R45E S08 NWSW 27.0

~~T06N R45E S08 NWSW 26.0~~

T06N R45E S08 SWSW 2.4

~~T06N R45E S08 SWSW 2.2~~

T06N R45E S08 SESW 1.0

~~T06N R45E S08 SESW 0.9~~

37.9 ACRES TOTAL

~~37 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of ~~37 acres~~ 37.9 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

This right is a split from former right 22-254A.

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

AARON POWERS
MEGHAN HANSON
PO BOX 669
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
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 08 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

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EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

BEULAH BROWER
947 HWY 32
TETONIA ID 83452

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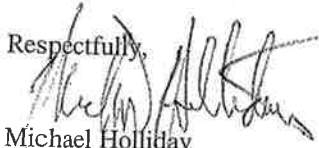
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Respectfully,


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

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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

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

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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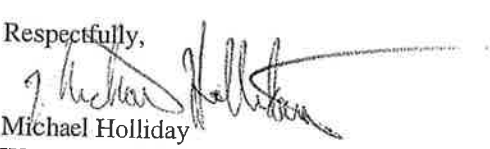
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Respectfully,


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 FREYMANN
394 S 100 W
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for
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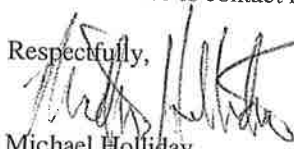
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Michael Holliday
Water Resource Agent, Sr.

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

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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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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

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
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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: 22-13377
(Split into Water Right 22-13881, 22-
13882, 22-13903, 22-13904, 22-13905 &
22-13906)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

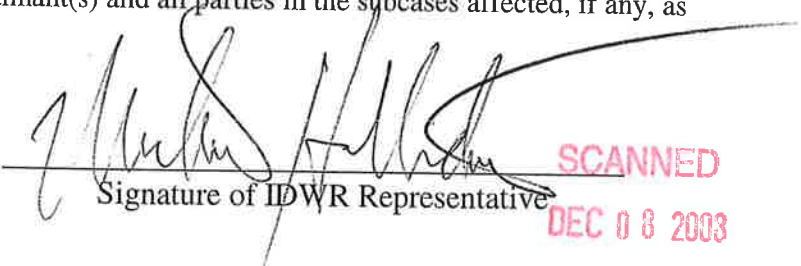
IDWR has completed the following Administrative proceeding:

- ☐ 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 08 2003

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 2nd 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 08 2008

CERTIFICATE OF MAILING (Cont)

4. One copy to:

Each party in the subcase, or attorney of record

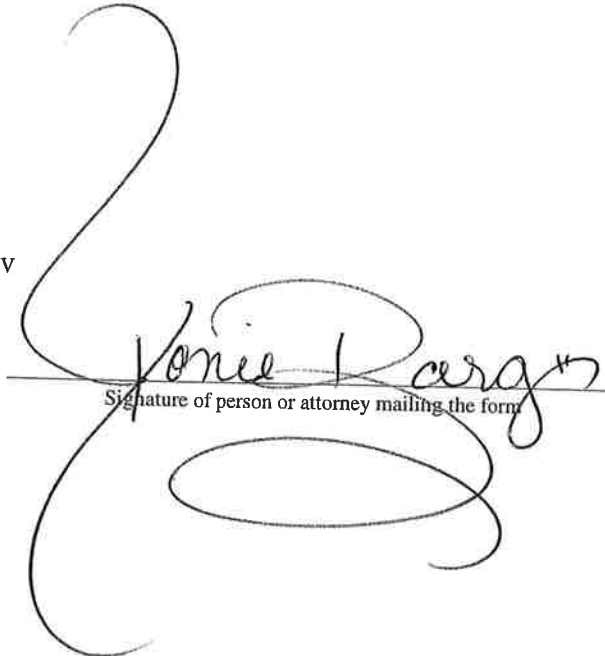
Thomas Hanson	Beulah Brower
C/O Barton J Birch	Kolene Later
81 N Main St Ste B	C/O Jerry R Rigby
Driggs ID 83442	25 N 2 nd E
	PO Box 250
	Rexburg ID 83440-0250

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 08 2003

11/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

22-13377

Disallowed

Split into: 22-13881, 22-13882, 22-13903, 22-13904,
22-13905 & 22-13906

SCANNED
DEC 08 2008

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

RIGHT NUMBER: 22-13881
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: 01/18/1905

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
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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-13377 .

SCANNED
DEC 08 2003

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

RIGHT NUMBER: 22-13882

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: 01/18/1905

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

This right is a split from former right 22-13377 .

Water is delivered through Stewart Ditch.

SCANNED
DEC 08 2008

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

RIGHT NUMBER: 22-13903

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

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.760 CFS

PRIORITY DATE: 01/18/1905

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	0.760 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

This right is a split from former right 22-254A.
Water is delivered through Stewart Ditch.

SCANNED
DEC 08 2003

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

RIGHT NUMBER: 22-13904

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: 01/18/1905

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 22-254A.

SCANNED
DEC 08 2008

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

RIGHT NUMBER: 22-13905

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: 01/18/1905

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

0.170 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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-254A.

SCANNED
DEC 08 2003

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

RIGHT NUMBER: 22-13906

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: 01/18/1905

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	0.090 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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-254A.

SCANNED
DEC 08 2008