

11/12/2009

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

RIGHT NUMBER: 22-13920

Draft

NAME AND ADDRESS: HAROLD K DUNN TRUST
326 N 300 W
SALT LAKE CITY UT 84103

SOURCE: SWAMP

TRIBUTARY: TETON RIVER

QUANTITY: 0.980 CFS

The rights listed below are limited to a total combined diversion rate of 2.8 cfs. Combined Right Nos.: 22-408B, 22-409B, 22-410B and 22-13920.

PRIORITY DATE: 04/15/1974

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T05N R45E S18 NENWSE Within TETON County
T05N R45E S21 NWNE 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	0.980 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S18 SWNE 24.00	T05N R45E S18 SENE	31.00
	T05N R45E S18 NESW 0.80	T05N R45E S18 SESW	1.70
	T05N R45E S18 NESE 28.00	T05N R45E S18 NWSE	23.00
	T05N R45E S18 SWSE 40.00	T05N R45E S18 SESE	36.00
	T05N R45E S19 NENE 2.20	T05N R45E S19 NWNE	2.30

189 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 189 acres in a single irrigation season. Combined Right Nos.: 22-408B, 22-409B, 22-410B and 22-13920.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

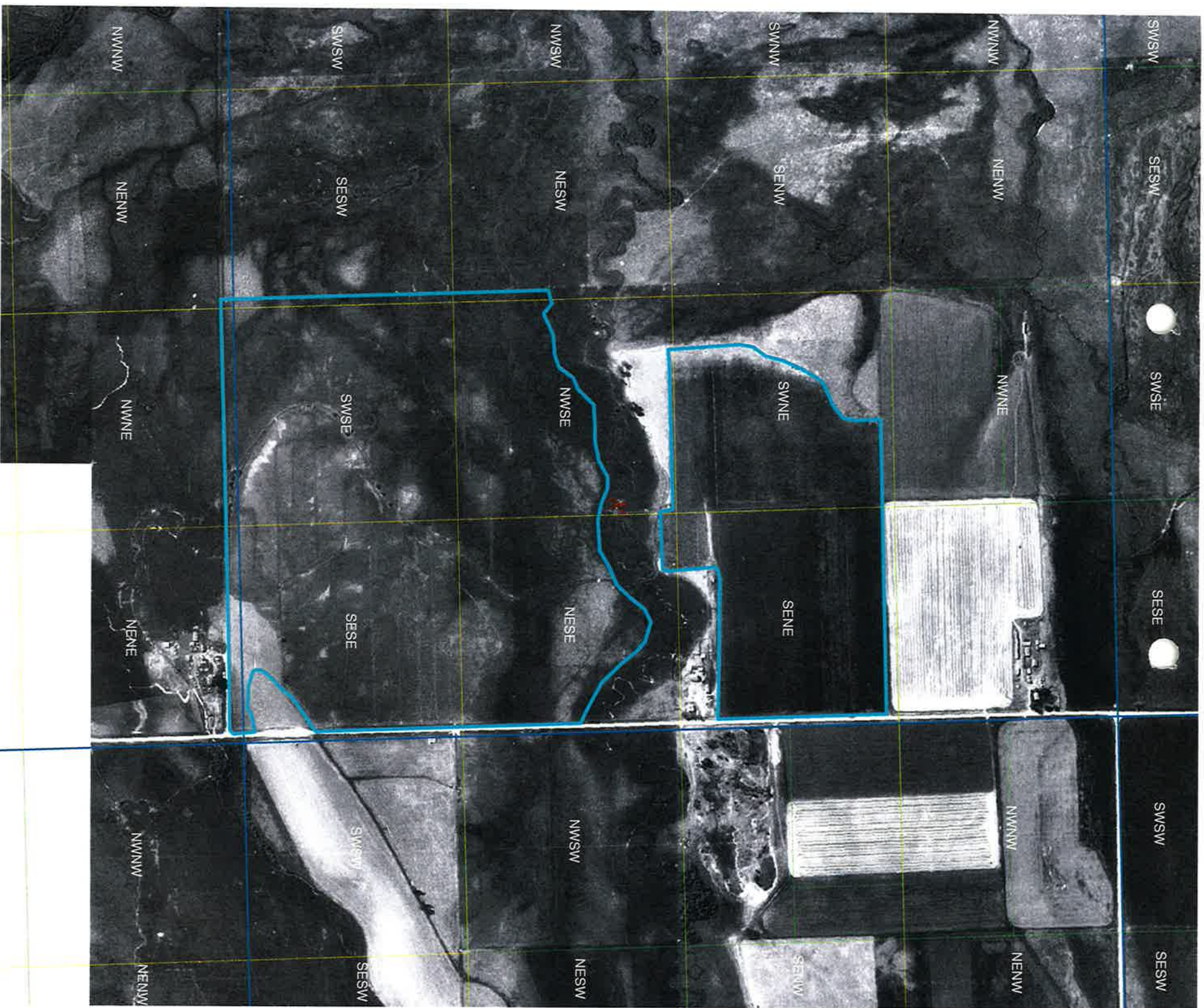
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right Nos. 22-408B, 22-409B and 22-410B pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 49 acres within the place of use described for this right.

Water is delivered through Cache Canal.





Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
E-mail: rharris@holdenlegal.com

May 7, 2009

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Filing Fee for Dunn Trust Late Claim.

Dear Ernie:

Enclosed is a check in the amount of \$179.00 for the filing fee for the Late Claim filed on behalf of the Harold K. Dunn Trust. I apologize for not including this with our original submittal of the late claim. We appreciate your assistance with this matter.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosure

G:\WPDATA\RLH\5303 Dunn Trust\Ernie Carlsen ltr 050709.wpd:cdv

RECEIVED

MAY 08 2009

Department of Water Resources
Eastern Region

Established in 1896

SCANNED

MAY 13 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-13920

Date Received _____

Receipt Number E035030

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Harold K. Dunn Trust Phone (801) 533-9730

Mailing Address 326 N. 300 W., Salt Lake City, UT Zip 84103

2. Date of Priority (Only (1) per claim) April 15, 1911

3. Source of water supply (a) Swamp

which is tributary to (b) Teton River

4.a. Location of existing point of diversion is:
Township 5N Range 45E Section 18, NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____,
County of TETON

Additional points of diversion if any: _____

If Available, GPS Coordinates: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pump is located on an unnamed stream on Claimant's property.

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/31 amount 1.58 cfs or _____

7. Total quantity claimed (a) 1.58 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

SCANNED

MAY 13 2009

- [illegible]

MAY 13 2009

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Robert L. Harris
Address PO Box 50130, Idaho Falls, ID 83405-0130
Date April 30, 2009

G:\WPDATA\RLH_Dunn Trust\Enlargement Right.wpd:cdv

Last Name _____ Ident. Number 22-410B

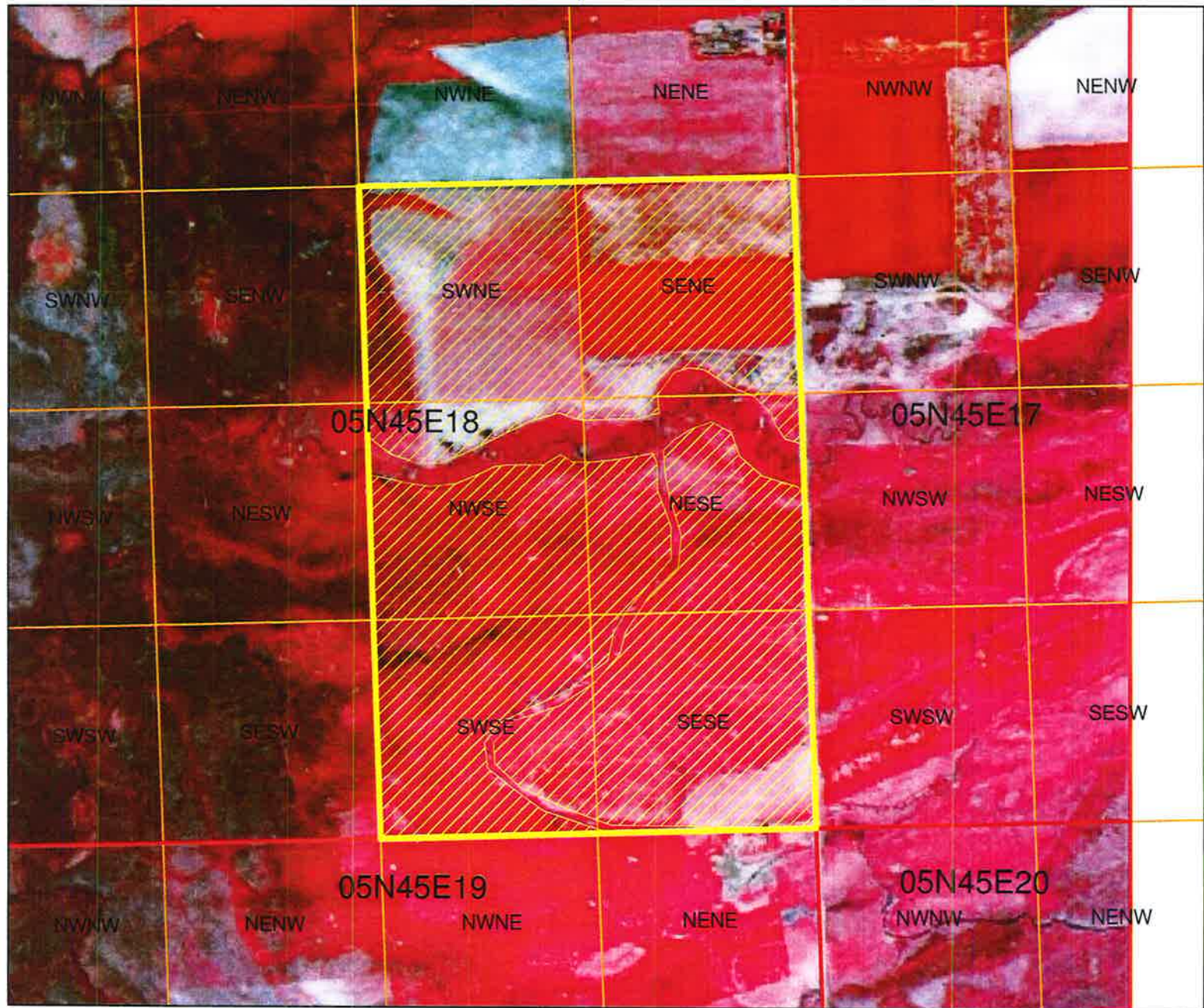
SCANNED
MAY 13 2009

HAROLD K. DUNN TRUST WATER RIGHTS (22-408B,409B,410B, and Enlargement Right)



Legend

- Property_Line
- Place_of_Use
- PLS-Section
- gcdb_qq



0 0.15 0.3 0.6 Miles

SCANNED
MAY 13 2009