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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70253

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Gary or Verna Lerwill Phone 208 456-2579

Office address 250 N 800 W, Teton Id 83452

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

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NOV 07 2002
Department of Water Resources
Eastern Region

Describe the reason for the proposed changes Sold portion of land & retained water right
moving water to more productive land
will reduce cfs to 0.02 cfs / acre

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>22-325 B</u>	<u>6/1/1891</u>	<u>0.50 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
<u>22-326 D</u>	<u>4/5/1889</u>	<u>0.50 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
<u>22-2002 A</u>	<u>1/8/1904</u>	<u>1.60 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>

- Total amount of water being transferred 2.60 cubic feet per second and/or _____ acre-feet per annum.
Source of water Packsaddle Creek tributary to Teton River
Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SW	8	5N	44E	Teton	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	44E	9						4	25			40	40				21		130

* Permissible Place of use

* Total Acres 130

General Information:

a. Description of diversion system DIVERSION Box Headgate to pipeline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
will be dry farmed.

d. Remarks:
Rights 22-325B + 22-326D limited to 50 acres
Right 22-2002A limited to 125 acres

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

and the said application is hereby _____, subject to the following conditions:

/itness my hand this _____ day of _____, 20 _____.

For the Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-325B

WATER RIGHT NUMBER: 22-325B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VERNA LERWILL
	TETONIA, ID 83452
Current Owner	GARRY LERWILL
	891 W 400 N PACKSADDLE RD
	TETONIA, ID 83452
	(208)456-2579

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PACKSADDLE CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

PACKSADDLE CREEK	NE1/4SW1/4	Sec. 8,	Twp 05N,	Rge 44E, B.M.
TETON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05N	44E	9						25.0	25.0			40.0	40.0							130.0

Total Acres: 130

Conditions of Approval:

Remarks:

- General TRANS. 2883. MOVED WATER TO INITIAL 25 ACRES. PIPELINE TAKES ALL RIGHTS USED AND SPREADS THEM OVER THE 130 ACRES IRRIG. TOTALLY.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-2002A

WATER RIGHT NUMBER: 22-2002A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARRY LERWILL 891 W 400 N PACKSADDLE RD TETONIA, ID 83452 (208)456-2579
Current Owner	VERNA LERWILL TETONIA, ID 83452

Priority Date: 01/08/1904

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PACKSADDLE CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.600 CFS	
	<u>Total Diversion:</u>	2.600 CFS	

Location of Point(s) of Diversion

PACKSADDLE CREEK	NE1/4SW1/4	Sec. 8, Twp 05N, Rge 44E, B.M.
TETON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	44E	9					25.0	25.0			40.0	40.0							130.0

Total Acres: 130

Conditions of Approval:

Remarks:

- General RIGHTS ARE COMBINED IN PIPELINE AND USED OVER ALL OF APPLICANTS GROUND

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-326D

WATER RIGHT NUMBER: 22-326D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARRY LERWILL 891 W 400 N PACKSADDLE RD TETONIA, ID 83452 (208)456-2579
Current Owner	VERNA LERWILL 891 W 400 N PACKSADDLE RD TETONIA, ID 83452 (208)456-2579
Original Owner	LERWILLS SQUARE GV RANCH , ZZ

Priority Date: 04/05/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PACKSADDLE CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

PACKSADDLE CREEK	NE1/4SW1/4	Sec. 8, Twp 05N, Rge 44E, B.M.
TETON County		

Place of Use

IRRIGATION

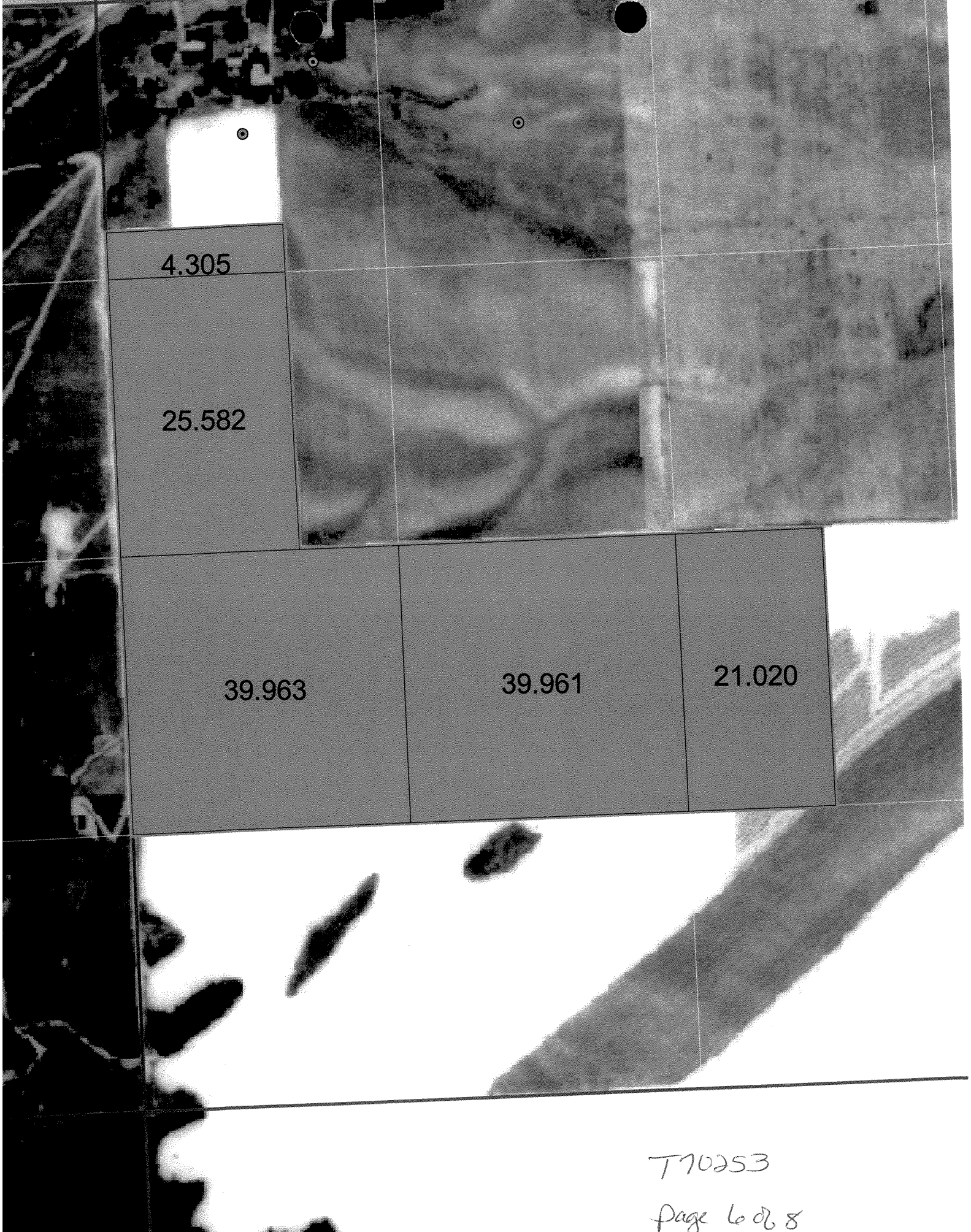
Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05N	44E	9						25.0	25.0			40.0	40.0							130.0

Total Acres: 130

Conditions of Approval:Remarks:

1. General TRANS. #2883 P/D PACKSADDLE PIPELINE, SPRINKLER SYSTEM.

Comments:



4.305		
25.582		
39.963	39.961	21.020

4.305

25.582

39.963

39.961

21.020

T70253

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30ac
SUNW

9

40ac
NW SW

40ac
NE SW

20ac

NW SE

16

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PART 3

 RECEIVED
 NOV 27 2002
 Department of Water Resources
 Eastern Region

CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
| | _____ | _____ | _____ | _____ to _____ |
| | _____ | _____ | _____ | _____ to _____ |
2. Quantity and quality of return flows and location of discharge:
- _____
- _____
3. Describe effects on other water uses resulting from the proposed change:
- _____
- _____
- _____
- _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

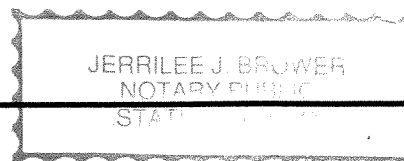
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Larry L. Remick
 (Signature of Applicant)

Subscribed and sworn to before me this 5th day of November, 20 02.

Jerrilee J. Brower
 (Notary Public)

My commission expires 2.27.04



FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by KCW Date 11-1-2002 Protest filed by _____

Prelim. Check by _____ Fee 370 EG28217

Receipted by KCW Date 10-4-2002

Published in Teton Valley News Copies of protest forwarded by _____

Pub. Dates Nov 21 & 28, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

TETON COUNTY ASSESSOR
DENNY THOMAS
89 N MAIN #2
DRIGGS ID 83422

2001

ASSESSMENT NOTICE
& ESTIMATE OF TAX

RECEIVED
NOV 07 2002
Department of Water Resources
Eastern Region

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

THE MOST WESTERLY 825 FEET OF
W2NW4 LESS #2519; #3725; #3337
& S2
SEC 9 T3N R44E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number:

(208) 354-3507

PARCEL ADDRESS:

091W 400 N

LERWILL GARRY L & VERA J

091 W 400 N
TETONIA

ID 83452

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 29, 2001

Tax Code Area: 14-00

Parcel Number: RP 5N44E093151A A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRIGD AG	82.700 AC	35,395	35,395
3 DRY AGR	274.400 AC	48,340	48,340
5 DRY GRAZING	2.591 AC	96	
19 WASTE	1.300 AC		
<i>home place</i> Elev. 3000 50			
SUBTOTAL:	361.491	83,832	83,832
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		83,832	83,832

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	180.36	130.36	208-354-2905	08/27/2001
SCH DIST 401	372.36	372.36		NO RESPONSE
CEN HADEN	8.68	8.68		NO RESPONSE
LIBRARY	10.48	10.48		NO RESPONSE
SUBTOTAL:	571.88	571.88		
FEES:	23.40	23.40		
TOTAL PROPERTY TAXES & FEES:	595.28	595.28		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

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ATTACHMENT

T 70253
1 OF 5

ATTACHMENT T 70253
2 OF 5

WARRANTY DEED

For Value Received **Garry L. Lerwill and Verna J. Lerwill, husband and wife**

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

George J. Pelton and Sarah J. Pelton, husband and wife

whose address is:

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

A part of Section 9 TWP. 5 North, RNG. 44 East, B.M., Teton County, Idaho. Being further described as:

From the NW corner of said Section 9; thence S 89°59'59"E along the Northern Section line, 536.00 feet to an iron pin. the true point of beginning;
thence S 89°59'59"E, 289.95 feet further along the Northern Section line to an iron pin;
thence S 00°00'45"W, 552.91 feet to an iron pin;
thence N 86°48'51"W, 159.68 feet to an iron pin;
thence S 84°58'57"W, 320.15 feet to an iron pin;
thence N 04°20'01"W, 257.78 feet to an iron pin;
thence S 89°59'59"E, 208.00 feet to an iron pin;
thence N 00°00'06"E, 315.00 feet to the point of Beginning.

TOGETHER WITH AND SUBJECT TO a 30 foot wide Road and Utility Easement across the Eastern side of the above described property. RESERVING UNTO HEREIN SAID GRANTORS and their heirs and/or assigns the right of ingress and egress over and across said 30 foot Road and Utility Easement.

THERE ARE NO WATER RIGHTS WITH THIS PROPERTY.

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: May 1, 2001

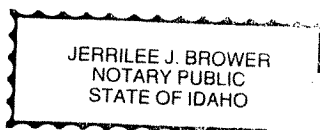
Garry L. Lerwill
Garry L. Lerwill

Verna J. Lerwill
Verna J. Lerwill

STATE OF Idaho
)ss.
COUNTY OF TETON

On this 1st day of May, 2002, before me a Notary Public, personally appeared Garry L. Lerwill and Verna J. Lerwill, 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.

Jerrilee J. Brower
Notary Public of Idaho
Residing at Tetonia ID
Commission Expires: 2-27-04



T 70253
ATTACHMENT 3 OF 5

AUG 29 2002

WARRANTY DEED

ON CO. ID
For Value Received

Garry L. Lerwill and Verna J. Lerwill, husband and wife, and Stacy J. Lerwill and Brenda Lerwill, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Kristeen Goulding, a single woman
whose address is:

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

A part of Section 9, Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho, being further described as:
From the NW Corner of said Section 9, Thence S 00°00'06"W, 482.67 feet along the Western Section line to the true point of beginning; Thence S 75°34'35"E, 358.79 feet to a point;
Thence N 84°58'57"E, 149.00 feet to a point; Thence S 02°42'21"E, 262.63 feet to a point;
Thence S 89°46'41"W, 508.32 feet to a point on the Western Section line of said Section 9;
Thence N 00°00'06"E, 340.65 feet along the Western Section line of said Section 9 to the point of beginning.

SUBJECT TO THE FOLLOWING RESTRICTIONS:

All easements and rights of way for roads, ditches, canals, underground pipelines, pole power and transmission lines for roads and roadways which currently exist on the above described property.

All garbage and refuse must be kept in receptacles. Said garbage shall be disposed of at least weekly.

No noxious weeds, junk automobiles, rubbish or unkempt yards shall be allowed.

Electricity, maintenance, repair, and use of existing domestic well shall be shared by the three homes attached to it.

Pets shall not exceed two per family dwelling and must be kept or maintained within owner's lot and may not become an annoyance or nuisance to the neighborhood.

All livestock shall be kept in a fenced enclosure.

No trees shall be removed except dead or dying trees unless they pose a threat to power lines or structures. Removal of trees on Parcel 2A is allowed for house building and landscaping considerations.

No improvements shall be installed south of trees at the south end of Garry Lerwill home (currently owned by Pelton), except existing garden.

Well Agreement recorded February 9, 1973, Instrument No. 72254 and Amendment Agreement recorded April 13, 1994, Instrument No. 115786 are not pertinent to this property nor do any rights thereunder transfer.

No water rights are being transferred with property.

SUBJECT TO existing easement for Packsaddle Pipeline Corporation mainline across the west boundary and together with ingress and egress easement for maintenance, repair, or replacement of pipeline. No permanent structures may be placed on said pipeline easement.

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:

[Signature of Garry L. Lerwill]
Garry L. Lerwill

[Signature of Stacy J. Lerwill]
Stacy J. Lerwill

[Signature of Verna J. Lerwill]
Verna J. Lerwill

[Signature of Brenda Lerwill]
Brenda Lerwill

STATE OF Idaho

ss.

COUNTY OF TETON

On this 29 day of August, 2002, before me a Notary Public, personally appeared Garry L. Lerwill, Verna J. Lerwill, Staci J. Lerwill, and Brenda Lerwill 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.

Jerrilee J. Brower
Notary Public of Idaho

Residing at Tetonia, Id.
Commission Expires: 2.27.04

JERRILEE J. BROWER
NOTARY PUBLIC
STATE OF IDAHO