

## Garden Water

Shares of Garden Water as of March 22, 2004

|                            |        |                             |                   |
|----------------------------|--------|-----------------------------|-------------------|
| Virgil Beard-----          | 116    | Lynn Larsen-----            | 76                |
| Larry Boothe-----          | 74     | Legion of Light-----        | 3                 |
| Boyd Bowles-----           | 380    | Cary Lindley-----           | 40                |
| Steve Boyer-----           | 7      | Dave Mayberry-----          | 7                 |
| Terry Brattain-----        | 35 ½   | Mountain Meadows -----      | 40                |
| Lenace Burnside-----       | 80     | Murdock Tracts -----        | 40                |
| Leo Burr-----              | 10     | Joann Olesen-----           | 3                 |
| Paul Delaney Children----- | 81     | Nelson - O'Connor-----      | 40                |
| Del Fullmer-----           | 40     | Padahia Meadows-----        | 43 ½              |
| Paul Gilroy-----           | 73     | Penfold Farms-----          | 805               |
| Jack Hansen-----           | 209 ½  | James Price-----            | 120               |
| Stan Hansen-----           | 38 1/4 | Virginia Price-----         | 147 ½             |
| Hibbert Farms-----         | 160    | Wayne Schiess-----          | 266 ½             |
| Ed Hicks-----              | 73     | Opal Smith-----             | 7                 |
| Delmar Hill-----           | 100    | Reed Smith-----             | 97 ½              |
| Shayne Hill-----           | 260    | Charles Wiess-----          | 40                |
| Clair Hillman-----         | 376 ½  | Leon Weston-----            | 242               |
| George Jensen-----         | 110 ½  | Tom Winger-----             | 40                |
| Dave Johnson-----          | 40     | Marilyn Wright-----         | 80                |
|                            |        | Darby Water Association---- | 72 1/4            |
|                            |        |                             | -----             |
|                            |        | Total Shares-----           | <del>4474</del> ½ |

Garden Water Co.  
 % Claire Ann Hill  
 82 South 275 East  
 Driggs, Idaho 83422

Boyd Bowles - 313-2146  
 Shayne or Claire Ann Hill - 354-2555

Rights on Upper Teton River and Tributaries (continued)  
Listed in Downstream Order

Old Book

| Party or Canal               | Orig. Canal                                            | Date                 | Decreed Amount in Sec.-ft. | Accumulated Total |
|------------------------------|--------------------------------------------------------|----------------------|----------------------------|-------------------|
| <u>DARBY CREEK</u>           |                                                        |                      |                            |                   |
| <u>Garden Irrigation Co.</u> |                                                        |                      |                            |                   |
| No.                          |                                                        |                      | New Pl. #s                 |                   |
| 22-573                       | (D.O. Walton) TR 631                                   | ✓ June 1, 1889       | 0.4                        | 0.4               |
| 22-525                       | (C.M. Smith) TR 631                                    | Decreed June 1, 1890 | 3.2                        |                   |
| 22-419                       | (G.M. Murphy) TR 631                                   | ✓ June 1, 1890       | 3.0                        | 9.2               |
| 22-574                       | (D.O. Walton) TR 631                                   | ✓ June 1, 1890       | 2.8                        | 9.4               |
| 22-528                       | (E. Smith) (Includes Spring, Darby & Crandall Springs) | ✓ June 1, 1891       | 2.0                        | 11.4              |
| 22-269                       | (C. Gjettrup)                                          | ✓ June 1, 1892       | 3.2                        |                   |
| 22-557                       | (J. Todd)                                              | ✓ June 1, 1892       | 3.2                        | 10.4              |
| 22-556                       | (H.M. Todd)                                            | ✓ June 1, 1892       | 4.0                        | 21.8              |
| 22-227                       | (L.S. Davidson)                                        | July 26, 1892        | 3.1                        | 24.9              |
| 22-177                       | (R. Blattner)                                          | ✓ June 1, 1894       | 3.2                        |                   |
| 22-244                       | (A.J. Ellis)                                           | ✓ June 1, 1894       | 3.2                        | 31.3              |
| 22-346                       | (T.H. Ingram)                                          | ✓ June 1, 1895       | 3.2                        | 34.5              |
| 22-273A                      | (Kim Larsen) (TR 635)                                  | ✓ June 1, 1896       | 0.21                       |                   |
| 22-369A                      | (A. C. Larsen) (TR 635)                                | ✓ June 1, 1896       | 0.11                       |                   |
| 22-216A                      | (Ira Crandall) (TR 635)                                | ✓ June 1, 1896       | 0.53                       | 6.4               |
| 22-375A                      | (P. Larson) (TR 635)                                   | ✓ June 1, 1896       | 0.85                       |                   |
| 22-436A                      | (E. Pascoe) (TR 635)                                   | ✓ June 1, 1896       | 0.85                       |                   |
| 22-449A                      | (L. P. Peterson) (TR 635)                              | ✓ June 1, 1896       | 0.85                       | 37.9              |
| 22-437                       | (W.R. Pascoe)                                          | ✓ June 15, 1896      | 3.2                        | 41.10             |
| 22-370                       | (A.C. Larsen)                                          | ✓ June 1, 1897       | 0.4                        |                   |
| 22-599                       | (Wyo. & Darby Bench Canal)                             | ✓ June 1, 1897       | 27.6                       | 30.2              |
| 22-194                       | (H. L. Cannon)                                         | ✓ June 1, 1897       | 2.0                        | 71.10             |
| 22-331                       | (E. H. Holden)                                         | ✓ June 1, 1898       | 3.2                        | 42                |
| 22-371                       | (A. C. Larsen)                                         | ✓ June 1, 1898       | 0.8                        | 75.10             |
| 22-652                       | (D.B. Hill) (Wyo. & Darby Bench Canal)                 | ✓ June 2, 1898       | 3.2                        | 78.30             |
| 22-543                       | (Albert Tarbet)                                        | ✓ July 7, 1898       | 3.2                        | 6.4               |
| 22-544                       | (W. Tarbet)                                            | ✓ July 7, 1898       | 3.2                        | 84.70             |
| 22-529A/B                    | (E. Smith) (Incl. Spring, Darby & Crandall Spg)        | ✓ June 1, 1899       | 1.6                        | 86.30             |
| 22-316                       | (W. K. Herendeen)                                      | ✓ June 1, 1900       | 1.6                        | 87.90             |
| 22-372                       | (A. C. Larson)                                         | ✓ June 1, 1902       | 1.6                        | 89.50             |
| 22-95                        | Garden Water Co.                                       | ✓ Jan. 22, 1916      | 90.8                       | 180.30            |

Garden Irrigation Co. Summary

|                                |              |
|--------------------------------|--------------|
| Winger Pipe Lines (4)          | 720 Shares   |
| South Darby Sprinkling System  | 920 Shares   |
| Middle Darby Sprinkling System | 1,545 Shares |
| North Darby Sprinkling         | 1,056 Shares |

4,241 Shares

Darby Creek Continued  
next page -

Aug 1916

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Certificate of Water Right  
Transferred Right No. 695

22-216B 1.47  
22-369B 0.29  
22-373B 0.59  
22-375B 2.35  
22-436B 2.35  
22-449B 2.35

9.40

THIS IS TO CERTIFY THAT the GARDEN WATER COMPANY, LTD., of BRIGGS, IDAHO, is the owner of and using a certain water right bearing date of priority of June 1, 1896, for 9.4 cubic feet per second of the waters of DANNY CREEK, County of Teton, State of Idaho, decreed to Ira Grandall, L. P. Peterson, Peter Larson, K. M. Larson, A. G. Larson and R. Pascoe, by decree of Judge Stevens, of the Sixth Judicial District, State of Idaho, County of Fremont, in the case of

REXBURG IRRIGATION COMPANY ET AL

Plaintiffs

VS.

TETON IRRIGATION COMPANY ET AL

Defendants

said decree bearing date of December 16, 1910, for the purpose of irrigating the following described lands:

All of Section 1; NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, Section 11; all of Section 12; NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, Section 13, all in Township 4 North, Range 45 E.B.M.

SEC. 1 ALL NW<sup>1</sup>/<sub>4</sub> SEC. 13 NENE  
SEC. 11 NE, N<sup>2</sup>/<sub>2</sub> NW  
SEC. 12 ALL T4N R45E

S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, Section 32, S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, Section 31, all in Township 5 North, Range 46 E.B.M.

SEC. 32 S<sup>2</sup>/<sub>2</sub>SW, SWSE  
SEC. 31 S<sup>2</sup>/<sub>2</sub>SW, S<sup>2</sup>/<sub>2</sub>SE T5N R46E

All of Section 5; all of Section 6; all of Section 7; all of Section 8; Lot 1, NW<sup>1</sup>/<sub>4</sub>, Section 17, NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, Section 18, all in Township 4 North, Range 46 E.B.M.

SEC. 5 ALL SEC. 6 ALL  
SEC. 7 ALL SEC. 8 ALL  
SEC. 17 L1, N<sup>2</sup>/<sub>2</sub> NW, SEC. 18 N<sup>2</sup>/<sub>2</sub> NW, SE<sup>1</sup>/<sub>4</sub> NW, S<sup>1</sup>/<sub>2</sub> NE  
T4N R46E.

THAT THE SAID DECREE has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 3, of Decrees at Page 458;

THAT THE APPLICANT has become the owner of the land and water right by deed from original persons to whom decreed;

THAT NOW UPON THE application of the GARDEN WATER COMPANY, LTD., of BRIGGS, IDAHO, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted the right to the use of 9.4 cubic feet per second of the waters of DANNY CREEK upon the lands above described is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right hereby confirmed shall be apportionment, by this Certificate, for irrigation and domestic purposes, are described as follows:

S<sup>1</sup>/<sub>2</sub>, Section 15, NE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, Section 22, all in Township 4 North, Range 45 E.B.M.

SEC. 15 S<sup>2</sup>/<sub>2</sub>  
SEC. 22 ENE, SWNE, NESE

S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, Section 22, NW<sup>1</sup>/<sub>4</sub>, Section 27, all in Township 4 North, Range 45 E.B.M.

SEC. 22 S<sup>2</sup>/<sub>2</sub>SE  
SEC. 27 NENE

T4N R45E

RECORDED

22-0216

9.4 cfs  
Darby Ch

situate, lying and being in the County of Teton, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

9.4 cubic feet per second of the water of Darty Creek, with date of priority of June 1, 1896

THAT THE WATER RIGHT HEREBY TRANSFERRED, has been conducted to the first above described land through the Garden Water Company Canal, having its point of diversion opposite the Cherry Grove Canal, having its point of diversion in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Section 17, Township 4 North, Range 46 E.B.M.

THAT THE WATER RIGHT HEREBY TRANSFERRED, will hereafter be conducted to the new place of use through the Cherry Grove Canal, having its point of diversion in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Section 17, Township 4 North, Range 46 E.B.M.

THAT THE RIGHT to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be affixed at Boise, Idaho, this 17th day of January, 1948.

E. V. BERO  
Commissioner of Reclamation

  
By: R. E. POWELL  
Supervisor of Water Distribution

*Cherry Grove Canal P20*  
*Through Cherry Grove Canal*

RECORDED

## THE STATE OF WYOMING

Proof No. 24391

Certificate Record No. **61**, Page **474**

~~XXXXXX~~ under Permit No. 1332 for domestic purposes

-County, Wyoming.

Postoffice Address  
Dr. E. E. E. Idaho

None  
---; Total Acreage

cu. ft. per sec.; Description of land ~~to be irrigated and~~ for which this appropriation is determined and established:

THIS APPROPRIATION IS CHANGED FROM IRRIGATION USE ON THE FOLLOWING LANDS: SOUTH 21 ACRES OF NE1/4, SECTION 7, TOWNSHIP 4 NORTH, RANGE 46 EAST, BOISE MERIDIAN, STATE OF IDAHO, BY THE STATE BOARD OF CONTROL ON NOVEMBER 9, 1949, TO PREFERRED USE ON LANDS OF THE STOCKHOLDERS OF THE GARDEN WATER CO., LTD. IN SECTIONS 1, 11, 12, TOWNSHIP 4 NORTH, RANGE 46 EAST, AND SECTIONS 5, 6, 7, 8, 17, 18, TOWNSHIP 4 NORTH, RANGE 46 EAST, BOISE MERIDIAN, IDAHO.

to 11,227, Wyoming Compiled Statutes, 1940.

President of the State Board of Control, have hereunto set my

A.D. 1950

hand this 20th day of January, A. D. 1950, and caused the seal of said Board to be hereunto affixed.

Ex-officio Secretary.

President.

SEP 22 2004

Department of Water Resources  
Eastern Region

From: JADE HEDGECOCK  
Wyomman

## THE STATE OF WYOMING

Proof No. 24391

# Certificate of Appropriation of Water

Certificate Record No. 61, Page 445

WHEREAS, Garden Water Company, Ltd.  
or Good Fellow

or Good Fellow

WILHELMAS OF GOOD FELLOW has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Derby Creek, tributary of Teton River, TRIB. MELEY'S FORK RIVER, TRIB. SNAKE RIVER per JH 10-18-1999 ES through the Wyoming and Derby Bench Canal ~~project~~ under Permit No. 1332

~~DETECT~~ under Permit No. 1332

for irrigation of the lands herein described, lying and being in Neton County, Idaho

-County, Wyoming:

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 16th day of December, A. D. 19 49, in Order Record No. 12, Page 46, determined and established the priority and amount of such appropriation as follows:

| Name of Appropriator       |  |
|----------------------------|--|
| Garden Water Company, Ltd. |  |

Driggs, Idaho

Date of Appropriation September 11, 1896

One thousand eight Hundred Seventy and Eleven Dollars &c. Ac

| Amount of Appropriation | cu. ft. per sec ; Description of land to be irrigated and for which this appropriation is determined and established. | Acres     |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------|
| 267.2                   |                                                                                                                       | 10,000.00 |
| 26.12                   |                                                                                                                       | 1,000.00  |

[illegible]

0.6 Cu. ft. per sec. of  
this appropriation  
detached from the  
South 21 ac. of NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
South 21 ac. of NE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
Sec. 7, Twp. 4 N., Range  
46 E. for irrigation  
use and changed  
to preferred use for  
domestic purposes  
by the State Board  
of Control, O.R. 13, p.  
C.R. 1474 and  
60

The right to water hereby confirmed and established is limited to irrigation \_\_\_\_\_ and \_\_\_\_\_ the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each seventy acres of land for which the appropriation is herein determined and established, except when there is surplus water in the stream as provided by Sections 71-216 to 71-224, Wyoming Compiled Statutes, 1945.

IN TESTIMONY WHEREOF, I, L. C. BISHOP

President of the State Board of Control, have hereunto set my

hand this 16th day of December

A. D. 1949

be hereunto affixed

Attest: \_\_\_\_\_ Ex-officio Secretary

Ex-officio Secretary.

President.

# THE STATE OF WYOMING

Proof No. 24392

## Certificate of Appropriation of Water

Certificate Record No. 61, Page 446

WHEREAS, Garden Water Company, Ltd. has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Darby Creek, tributary of Teton River, T.R.B. HENRY'S FORK RIVER, T.R.B. SNAKE RIVER sec 14, 10-18, N49, 44 through the Todd Ditch under Permit No. 20214

for irrigation of the lands herein described, lying and being in Teton County, Idaho County, Wyoming NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 16th day of December, A. D. 19 49, in Order Record No. 12, Page 46, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator Garden Water Company, Ltd.; Postoffice Address Driggs, Idaho Wyoming  
Date of Appropriation January 19, 1949; Total Acreage Two Thousand Two Hundred Twenty-Seven and Two Tenths Ac.  
Amount of Appropriation 31.82 cu. ft. per sec.; Description of land to be irrigated and for which this appropriation is determined and established: (2,227.2)

| TWP.  | RANGE | SEC. | NE 1/4 |             |           | NW 1/4 |        |        | SW 1/4 |        |        | SE 1/4 |             |        | TOTAL   |
|-------|-------|------|--------|-------------|-----------|--------|--------|--------|--------|--------|--------|--------|-------------|--------|---------|
|       |       |      | NE 1/4 | NW 1/4      | SW 1/4    | NE 1/4 | NW 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | NE 1/4 | NW 1/4      | SW 1/4 |         |
| 4 N.  | 45 E. | 1    |        |             |           |        |        |        | 40     | 40     | 39     | 39     | 40          | 39     | 314     |
| 4 N.  | 45 E. | 2    |        |             |           |        |        |        |        |        |        |        |             |        | 75      |
| 4 N.  | 45 E. | 11   |        | 39          | 36        |        | 40     |        |        |        |        |        |             |        | 115     |
| 4 N.  | 45 E. | 12   |        | 39          | 39        |        | 39     | 40     | 40     | 40     | 39     | 39     | 40          | 39     | 628     |
| 4 N.  | 45 E. | 13   |        | 20          |           |        |        |        |        |        |        |        |             |        | 20      |
| 4 N.  | 45 E. | 6    |        |             |           |        |        |        |        |        |        |        |             |        | 36      |
| 4 N.  | 46 E. | 7    |        | 38          | 40        |        | 39     |        |        |        |        |        |             |        | 388     |
| 4 N.  | 46 E. | 8    |        | LOT 1 LOT 2 | 37.4 37.8 |        | 39     | 39     | 40     | 40     | 39     | 39     | LOT 3 LOT 4 | 38     | 466.2   |
| 4 N.  | 46 E. | 17   |        | LOT 1       | 36        |        | 39     | 39     |        |        |        |        |             |        | 114.    |
| 4 N.  | 46 E. | 18   |        | 39          |           |        | 30     |        |        |        |        |        |             |        | 69      |
| Total |       |      |        |             |           |        |        |        |        |        |        |        |             |        | 2,227.2 |

The right to water hereby confirmed and established is limited to irrigation the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each and seventy acres of land for which the appropriation is herein determined and established, except when there is surplus water in the stream as provided by Sections 71-216 to 71-224, Wyoming Compiled Statutes, 1945.

IN TESTIMONY WHEREOF, I, L. C. BISHOP

hand this 16th day of December, A. D. 19 49, and caused the seal of said Board to be hereunto affixed

Attest: Carl Lloyd Ex-officio Secretary. L. C. Bishop President.

CERTIFICATE OF APPROPRIATION OF WATER

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CERTIFICATE RECORD No. 42 PAGE 459

has presented to the Board of Control of the State of Wyoming proof

RIVER, TRIB. HENRY'S FORK RIVER  
 an tributary of Snake River  
 JULY 10-18-1909 (20)

Holden

Teton

Wŷōmīng. Idaho

2314

Page 100

Postoffice Address

Driggs, Idaho

==  
Wyming

2028

December 15, 1906

Description of land to be irrigated and

25.

|       |   |      |   |
|-------|---|------|---|
| Idaho | 7 | 1947 | 1 |
|-------|---|------|---|

and

IN TESTIMONY WHEREOF, I, Frank C. Emerson

### Julia Rothblatt-Friedman

Secretary.

President.

# Certificate of Appropriation of Water

WHEREAS, Vernon Wier <sup>has presented to the Board of Control of the State of Wyoming proof of the appropriation</sup>  
or Good fellow <sup>TRID. MERVIS FOX RIVER,</sup>  
Darcy Creek, tributary of Teton River, <sup>tributary of Snake River.</sup>  
of water from <sup>see J.H. 10-18-1934</sup>  
through the <sup>(2)</sup>  
Holden <sup>TRID. TETON CREEK</sup>

for irrigation of the lands herein described, lying and being in Teton County Wyoming

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 13th day of August, A. D. 1957, in Order Record No. 13, Page 429, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator **Vernon Winger**

Postoffice Address Box 15, Driggs, Idaho, Idaho

Date of Appropriation **February 19, 1917**

: Total Acreage Twenty-two (22) Acres

Amount of Appropriation 0.37

-cu. ft. per sec.; Description of land to be irrigated and for which this appropriation is determined and established:

[illegible]

The right to water hereby confirmed and established is limited to irrigation **and domestic use** ----- and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each seventy acres of land for which the appropriation is herein determined and established, except when there is surplus water in the stream as provided by Sections 71-216 to 71-224, Wyoming Compiled Statutes, 1945.

IN TESTIMONY WHEREOF, I, **EARL LLOYD**

hand this 13th day of August A D 1957 \_\_\_\_\_, a resident of the State Board of Control, have hereunto set my

hand this 13th day of August, A. D. 19 57

Attest: James S. Cantabur Ex-officio Secretary

Alvess: ~~George~~ *George* Ex-officio Secretary,

President.

