

11/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-59

NAME AND ADDRESS: TERRENCE BAGLEY
423 YALE AVE
REXBURG ID 83440

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R45E S8 NWSENE 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	3.200 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S06 Lot 3 NENW	40.00	T06N R45E S06 Lot 4 NWNW	39.00
T06N R45E S06 Lot 5 SWNW	39.00	T06N R45E S06 SENW	40.00
T06N R45E S06 NESW	26.00	T06N R45E S06 Lot 6 NWSW	7.00
T06N R45E S06 NWSE	0.40	T07N R44E S36 NESW	0.30
T07N R44E S36 SESW	0.30	T07N R44E S36 NESE	3.00
T07N R44E S36 NWSE	24.00	T07N R44E S36 SWSE	38.00
T07N R44E S36 SESE	35.00		

292 ACRES TOTAL

This right is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 292.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 22-00059, 22-00167, 22-00224.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER IS DELIVERED THROUGH RICKS CANAL.



Idaho Department of Water Resources

SRBA Recommendation:

22-52E

22-286E

22-668E

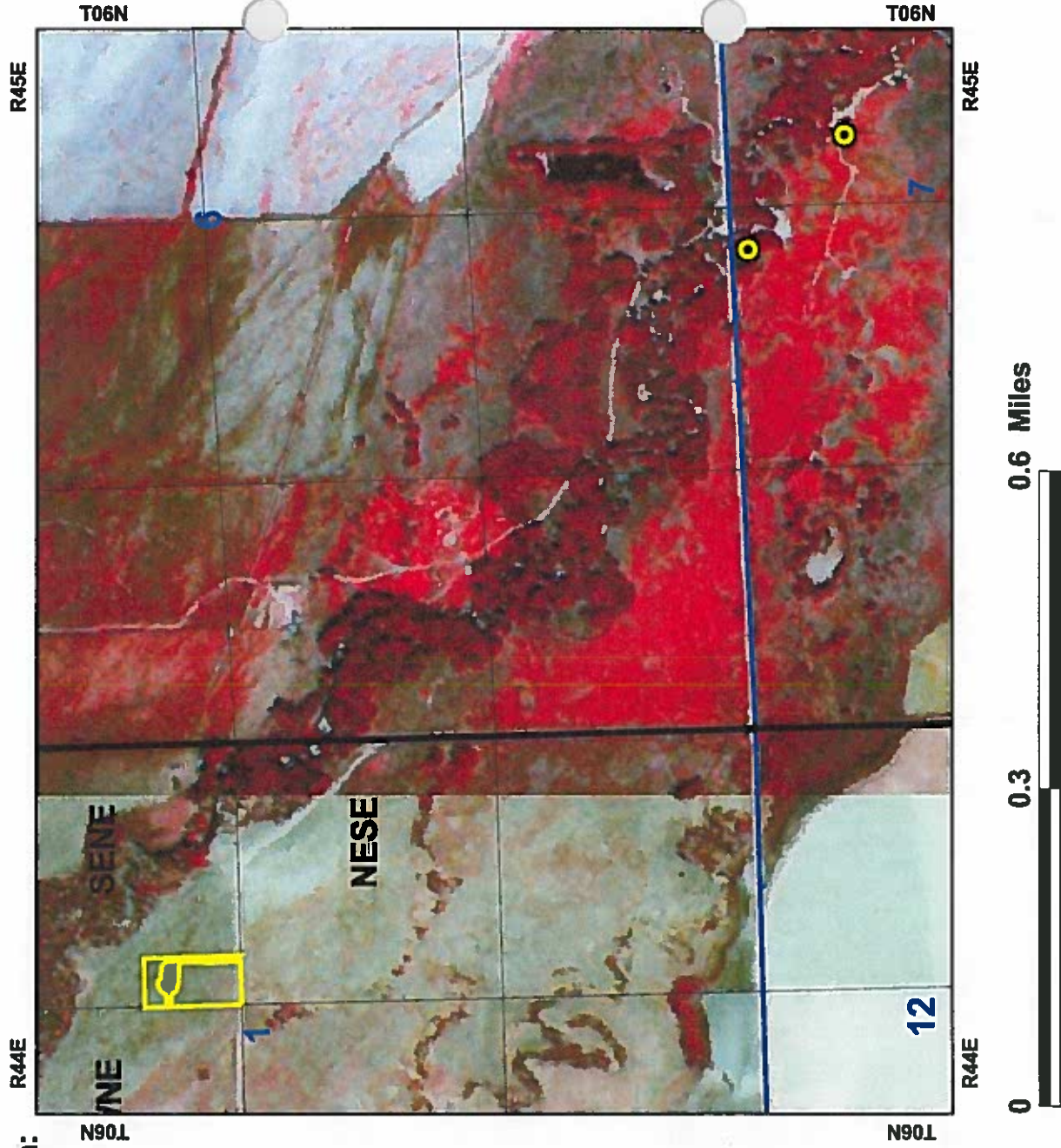
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

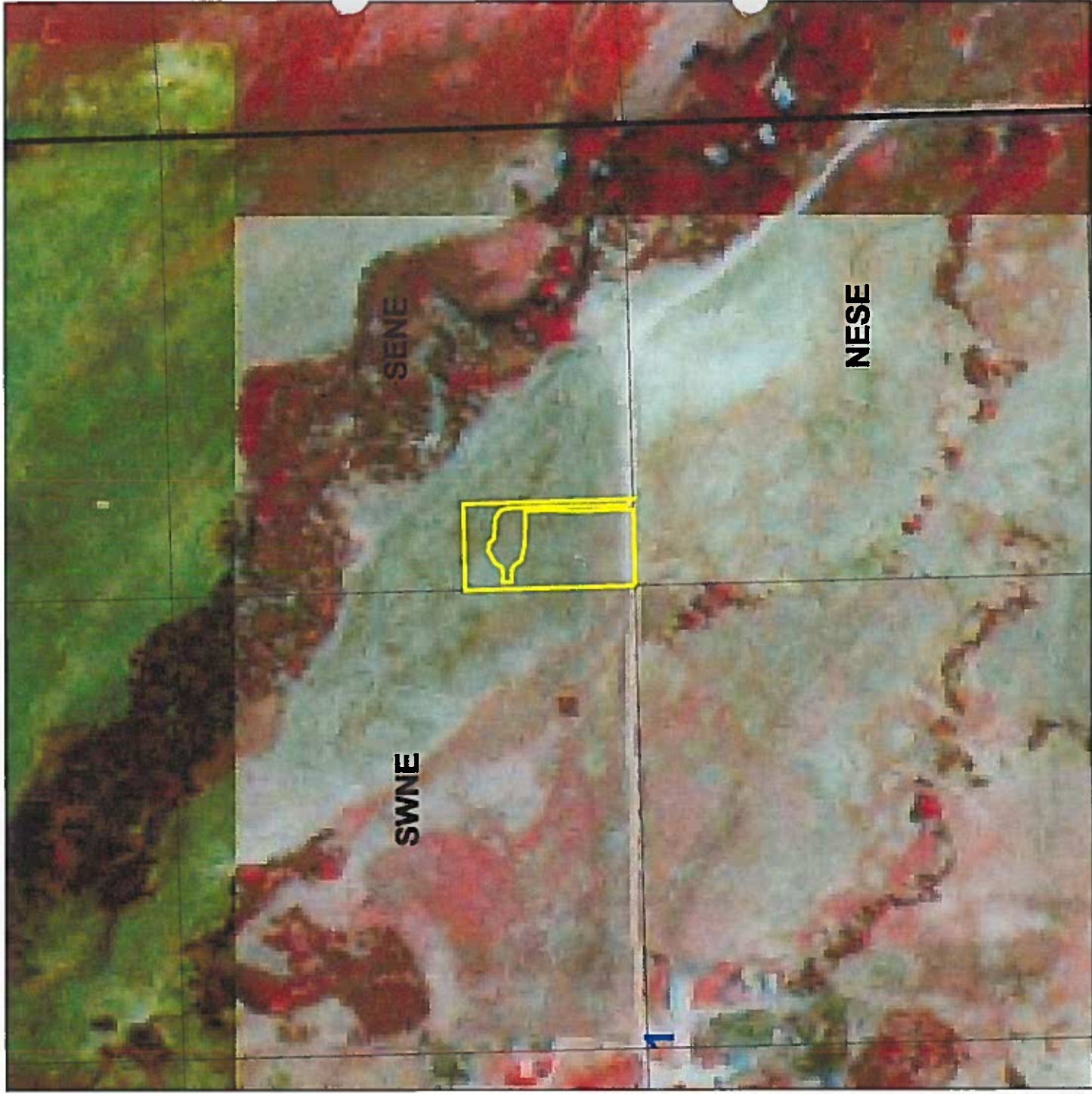


Teton County
IDWR Basin 22



Prepared by K. Moore
On Thursday, November 30, 2006
1987/88 Aerial Photography

22-52E
22-286E
22-668E



03/07/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-59
NAME AND ADDRESS: TERRENCE BAGLEY
PO BOX 122
REXBURG ID 83440

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.200 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.60 CFS. COMBINED RIGHT NOS.: 22-00059,
22-00167, 22-00224.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 22-00059, 22-00167, 22-00224
SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R45E S8 NWSENE 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	3.200 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S06 Lot 3 NENW	40.0	T06N R45E S06 Lot 4 NWNW	39.0
T06N R45E S06 Lot 5 SWNW	39.0	T06N R45E S06	SENW 40.0
T06N R45E S06	NESW 26.0	T06N R45E S06 Lot 6 NWSW	7.0
T06N R45E S06	NWSE 0.4	T07N R44E S36	NESW 0.3
T07N R44E S36	SESW 0.3	T07N R44E S36	NESE 3.0
T07N R44E S36	NWSE 24.0	T07N R44E S36	SWSE 38.0
T07N R44E S36	SESE 35.0		

292 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 292.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 22-00059, 22-00167,
22-00224.

This right is limited to the irrigation of 160.0 acres within the place of use
described above in a single irrigation season.

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.

03/07/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER IS DELIVERED THROUGH ~~THE~~ RICKS ~~WADSWORTH~~ CANAL.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 22-00059, 22-00107, 22-00224.

03/07/2005
RECEIVED

NOV 02 2006

**NOTICE OF ERROR
REPLY**

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail it.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-59

TERRENCE BAGLEY

~~PO BOX 122~~

REXBURG ID 83440

Telephone Number: (208)356-7926

423 YALE AVE

COMPLETED

Km 5/11/07

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/31/06

SIGNATURE: Terrence Bagley

Please print your name: TERRENCE BAGLEY

IDWR Regional Office,

Km 5
11/04



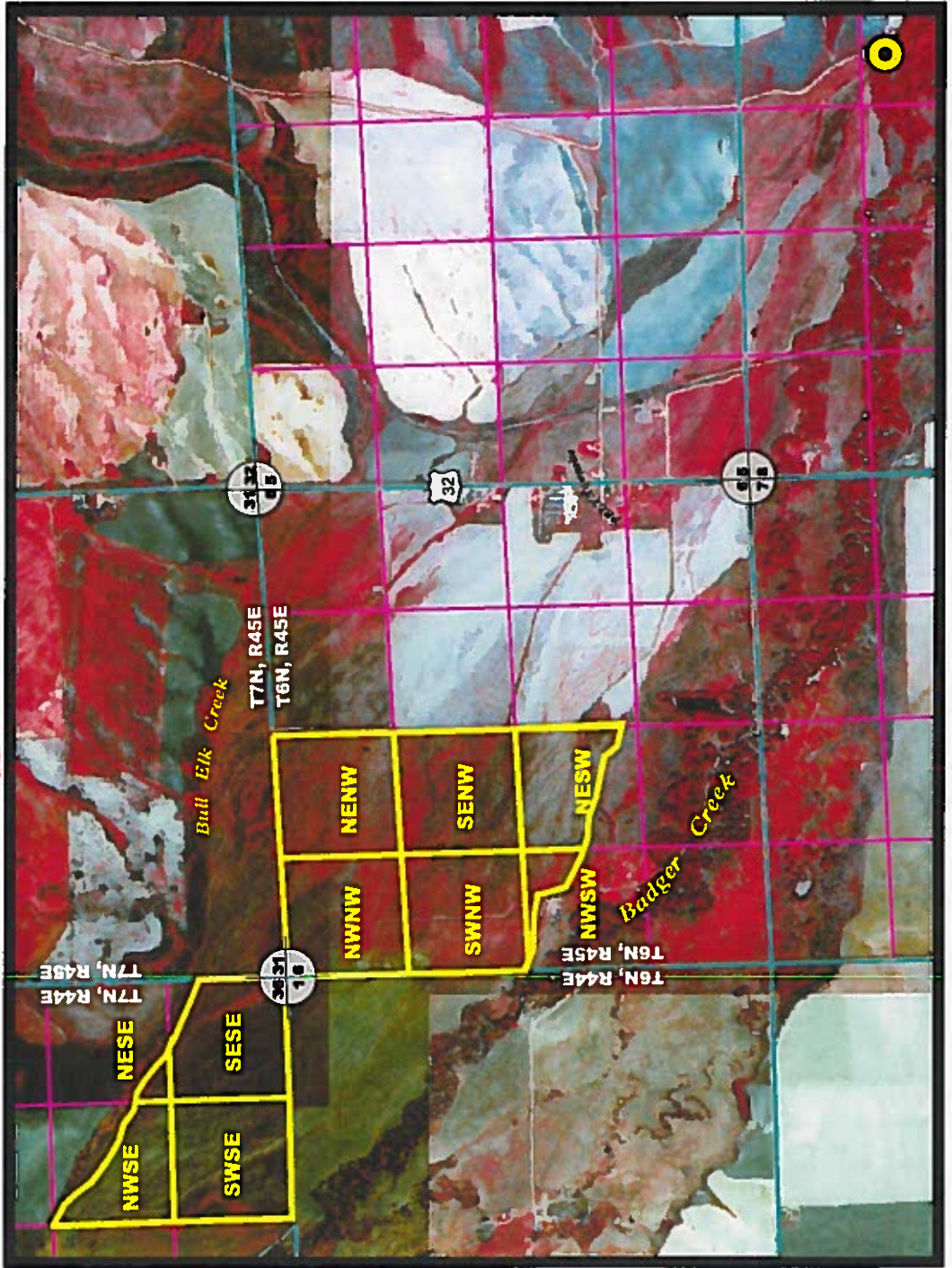
State of Idaho

Department of Water Resources

Eastern Region

SCANNED

MAR 09 2005



Water Right(s):

22-00059,

22-00167,

22-00224

Point(s) of Diversion:

T6N, R45E Sec. 8 NWSENE

Place of Use: (parts of)

T6N, R45E Sec. 6 NW, N2SW,

T7N, R45E Sec. 36 SE

Delivery by Si Ricks (Badger Ck) Canal

LEGEND



Point of Diversion



SESE Place of Use



Section



Quarter-Quarter

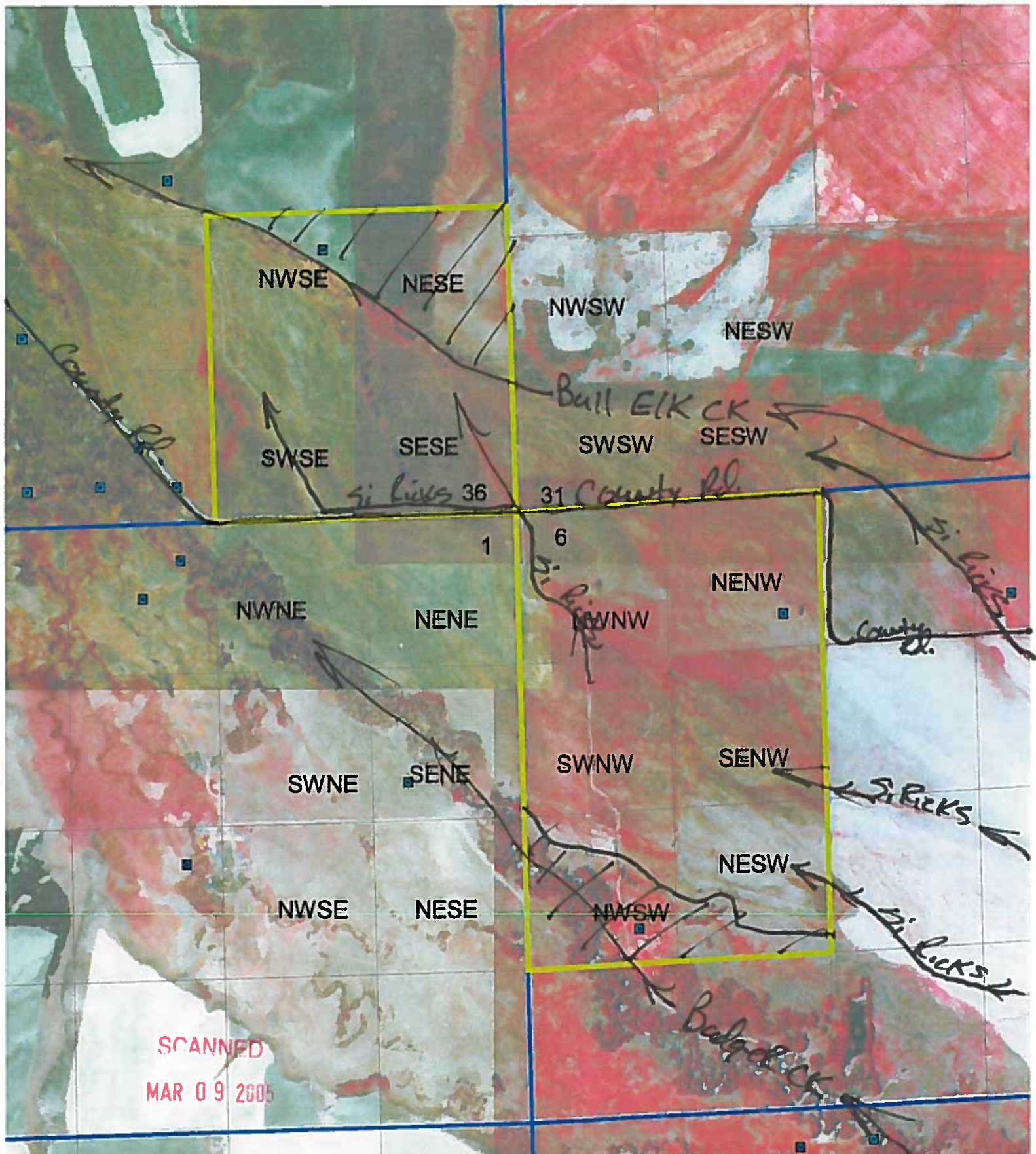


GIS Place of Use Illustration
1987/1988 NAIP Photography
Prepared by: A. Ruberry
Date: March 2005

PROFILE

22-59

10-28-04
ck



SCANNED
MAR 09 2005

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

11

* THIS CLAIM NEEDS ANOTHER RIGHT OR A BIG ENLARG CLAIM

SEE 22-224, 22-167

CPS

Reviewer: _____ Date: _____

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MAR 09 2005

PROVIDED

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of Q	QQ of Q	County	Source	Tributary to
① N6W	14SE	8				NWSE NE Teton	Badger CK	Teton River

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of Q	QQ of Q	County	Source	Tributary to
① N6W	14SE	8				NWSE NE Teton	Badger CK	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

① POD is Si-Ricks and has historically been Div. There. TAG # ADP 13824.

Reviewer: _____ Date: _____

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MAR 09 2005

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second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigation season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

LIII.

220057 That the plaintiff, O. R. Ricks, is the owner of or has an estate in the following described lands, to-wit:

Lots 4, 5, 6 & 7 of section 6 in the township 6 north, range 45 E.B.M.,

and is the owner of a ditch through which he conveys water from Badger Creek, with the point of diversion located in the NE-NE-NE of section 8 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, ever since the 22nd day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigation season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

LIV.

220058 That the plaintiff, Union Central Life Insurance Company, a corporation, is the owner of or has an estate in the following described lands, to-wit:

Lot 4 and the SE-NW $\frac{1}{4}$; Tax #442 in section 5;
Lot 1 of section 6, in township 6 north,
range 45 E.B.M.,

and is the owner of a ditch through which it conveys water from Badger Creek, with the point of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{2}$ of section 9 in township 6 north, range 45 E.B.M., and the plaintiff, or its predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 2.98 cubic feet per second or 149 miners inches of the waters of said creek, and

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MAR 09 2005

4368

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: A22-00059
Date Received: 10/04/1988
Receipt No: E003235
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TERRENCE BAGLEY 208-356-7926
Address: P.O. BOX 122
REXBURG, ID 83440

2. Date of Priority: JAN 22, 1916

3. Source: BADGER CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	8	NW	SE	NE		TETON

5. Description of diverting works:
HEADGATE AND OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 636.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	6	NE	NW	3	IRR	40.0
			NW	NW	4	IRR	40.0
			SW	NW	5	IRR	40.0
			SE	NW		IRR	40.0

A22-00059

Page

1

Date: 10/04/88

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SCANNED
MAR 09 2005

MICROFILMED
NOV 04 1982

A2200059



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	6	NE	SW		IRR	30.0
			NW	SW	6	IRR	20.0
						Section Acres	210.0
07N	44E	36	NE	SE		IRR	6.0
			NW	SE		IRR	24.0
			SW	SE		IRR	40.0
			SE	SE		IRR	38.0
						Section Acres	108.0
						Total Acres	318.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
22-00224, 22-00167.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

F. C. GILLETTE

Decree Plaintiff

vs

LYNN CRANDALL, W. M.

Decree Defendant

PROFILED

SCANNED
MAR 09 2005

MICROFILMED
NOV 04 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

James Bagley

Date:

10/5/88

Date:

State of Idaho

County of

Madison

)
) ss.
)

Subscribed and sworn (or affirmed) before me this 5th day

of October 19 88

Karen Williams
Notary Public

Seal

Residing at

Rigby ID

My Commission Expires

8-3-93

PROFILED

SCANNED
MAR 09 2005

MICROFILMED
NOV 04 1992



Handgate

A22-00059
A22-00167
A22-00224

PROFILED

DISPROFILING
NOV 04 1992
SCANNED
MAR 09 2005

R45E