



RIGHT NUMBER: 22-94

NAME AND ADDRESS: LLOYD WOOLSTENHULME
675 S 175 W
VICTOR ID 83455-5355

SOURCE: TONKS SPRINGS TRIBUTARY: FOX CREEK

QUANTITY: 2.400 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T04N R45E S33 SWSENE Within TETON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	2.400 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S33	NWNE	20.00	T04N R45E S33	NENW	40.00
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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 point of diversion pursuant to Section 42-1425, Idaho Code.



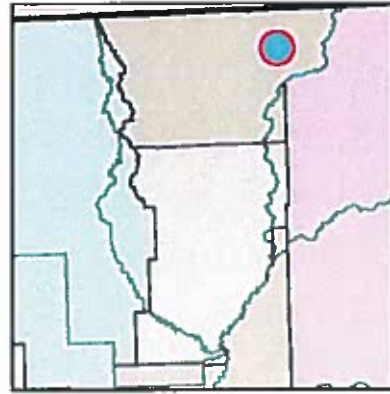
Idaho Department of Water Resources

SRBA Recommendation:

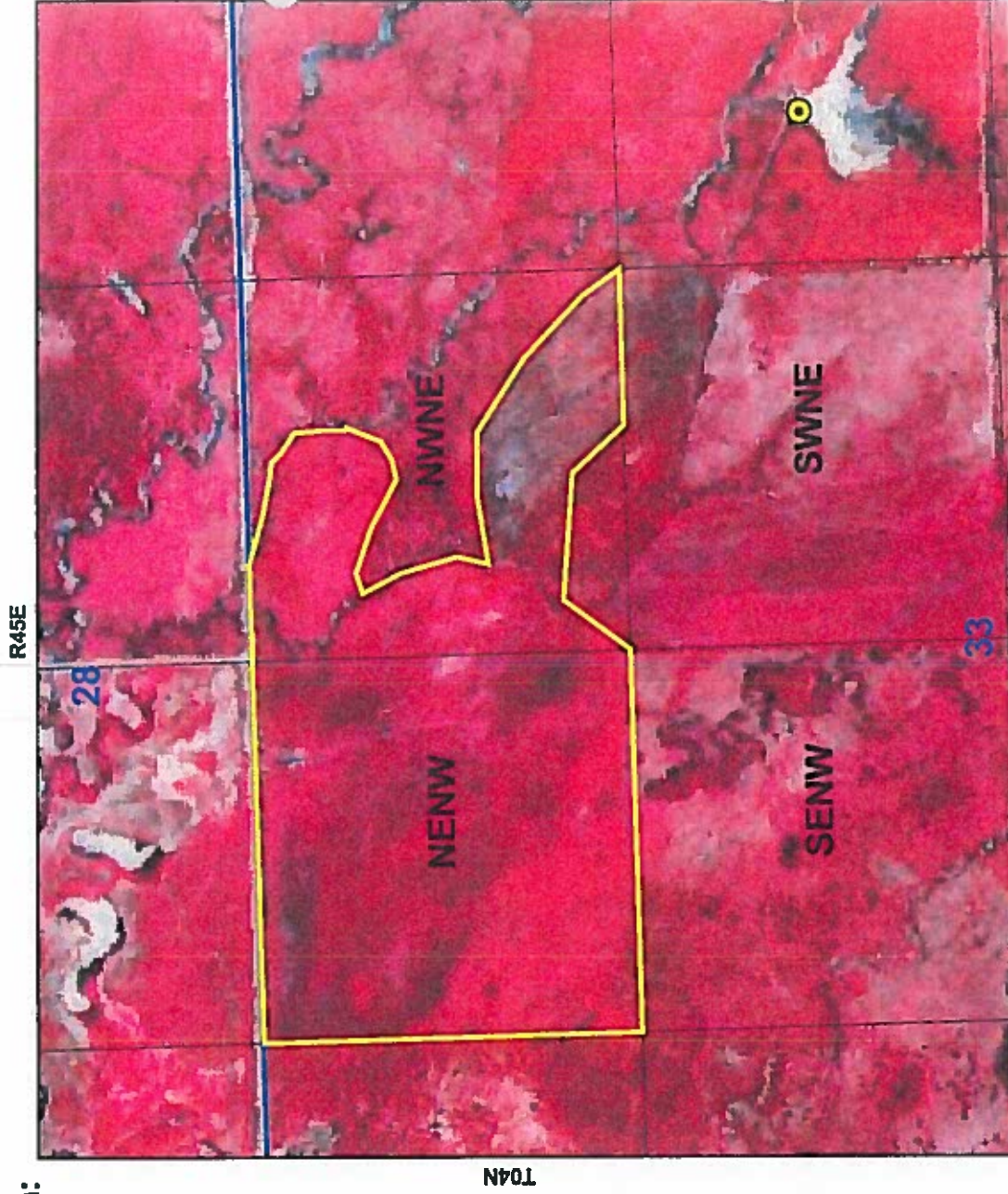
22-94
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by K. Moore
On Monday, November 20, 2006
1987/88 Aerial Photography

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

Decree shows a description of 100 ac, but it says 120 ac. Because this is a high water right, assuming it grants 2"/ac like most high water rights. Only recommending POH of 60 ac. If claimant wishes to file collocation, they can do it with NDE.

XX.

22-94
cribed lands, to-wit:

NE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$ of section 33 in township 4 north, range 45 E.B.M. containing 120 acres, more or less,

and is the owner of a certain ditch by and through which it diverts water from Tonks Springs for the irrigation of the above described lands, with point of diversion and diversion works located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 33 in township 4 north, range 45 E.B.M.; that the plaintiff, or its predecessor in interest, has diverted 2.4 cubic feet per second or 120 miners inches of the waters of Tonks Springs, with point of diversion and use upon the lands above described; that on or about and ever since the 22d day of January, 1916, has diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigating season the above quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiff.

XXI.

From the above Findings of Fact, the Court concludes, that, - plaintiffs herein named are entitled, and, -

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, -

- 22-80
22-81
MAY 15 1916
22-82
1. That the plaintiffs, Robert E. Griggs, Alfred Durtschi, Elizabeth Durtschi, John Durtschi and Miller & Viele, are awarded the use of 13.3 cubic feet per second or 665 miners inches of the waters of Teton Creek with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph VI of the Findings of Fact.
 2. That the plaintiffs L. G. Ellis, Carrol Romachevesco, The Prudential Insurance Company, a corporation, H. H. Culbertson and Ieland Sorenson, are awarded the use of 10.44 cubic feet per second or 522 miners inches of the waters of Teton Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph VII of the Findings of Fact.
 3. That the plaintiff, Russell Murdock, be awarded the use of .8 cubic foot per second or 40 miners inches of the waters

- 22 0090 ✓ 11. That the plaintiff, E. N. Kearsley, be awarded the use of 1.6 cubic feet per second or 80 miners inches of the waters of Warm Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XVI of the Findings of Fact.
- 22 0091 ✓ 12. That the plaintiff, Mrs. Albert Hardock, be awarded the use of 3.2 cubic feet per second or 160 miners inches of the waters of Darby Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XVII of the Findings of Fact.
- 22 0092 ✓ 13. That the plaintiff, Elmer Christensen, be awarded the use of .8 cubic feet or 40 miners inches of the waters of Darby Creek with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XVIII of the Findings of Fact.
- 22 0093 ✓ 14. That the plaintiff, Byrne Woolstenhulme, be awarded 3.2 cubic feet per second or 160 miners inches of the waters of Fox Creek with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XIX of the Findings of Fact.
- 22 0094 ✓ 15. That the plaintiff, First Security Bank of Utah, a corporation, be awarded the use of 2.4 cubic feet per second or 120 miners inches of the waters of Tonks Springs with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XX of the Findings of Fact.

IT IS FURTHER ORDERED, That the rights awarded and decreed in that certain decree commonly known as the "Rexburg or Snake River Decree" made and entered in this Court December 16, 1910, both as to dates of priority and the amounts of the rights awarded,

are binding upon the plaintiffs, and each of them, in this action.

Done in open Court, this 24th day of January, 1938.

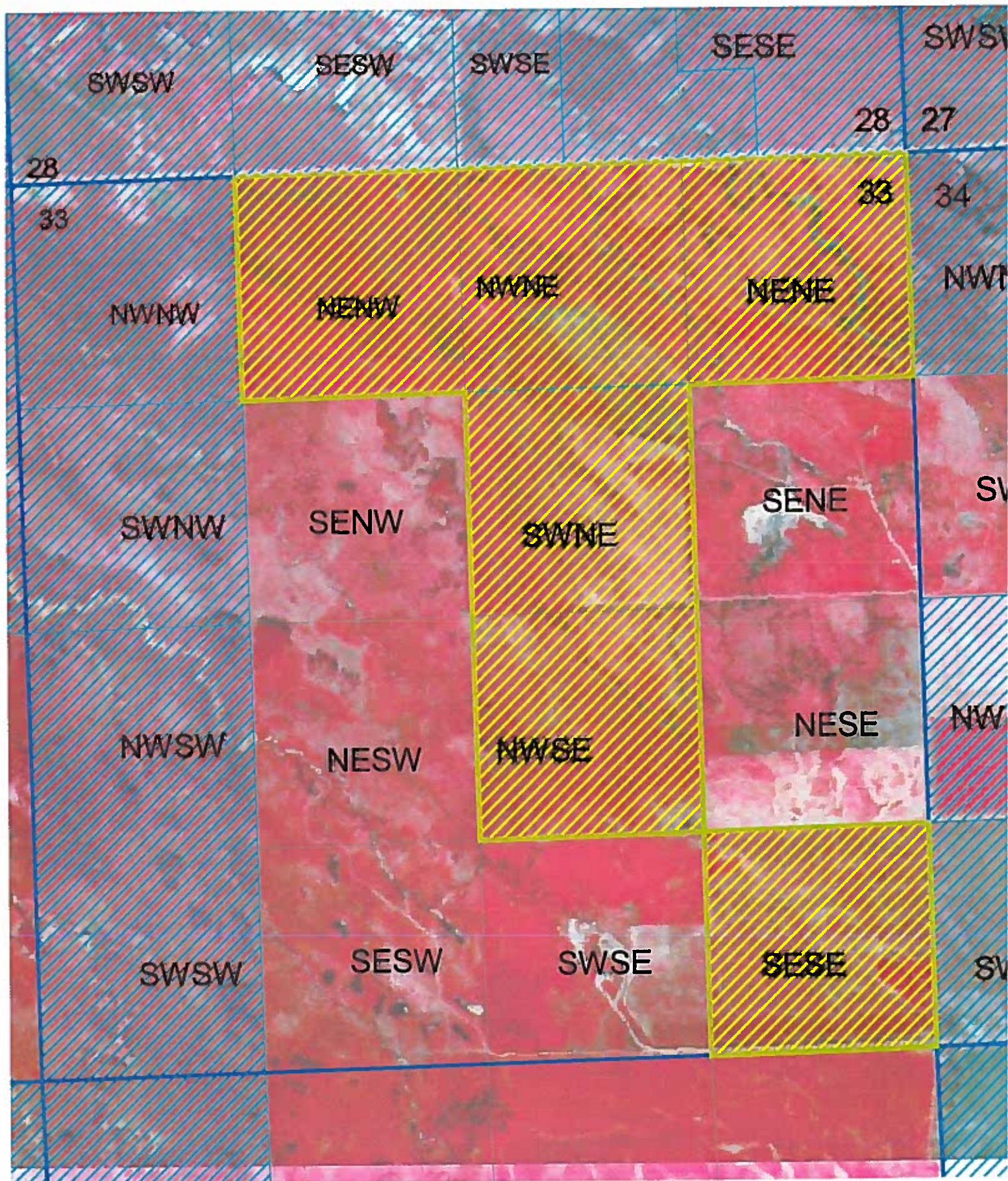
C. J. Taylor

District Judge.

Filed for record Jan. 26, 1938
at 10:10 A.M.

L. Kingsford, Recorder
By P. Thomson, Deputy

22-94



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: A22-00094
Date Received: 9/29/1988
Receipt No: M001471
Received By: LDN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD WOOLSTENHULME
Address: 675 S 175 W
VICTOR, ID

208-787-2723

83455

2. Date of Priority: JAN 22, 1916

3. Source: TONKS SPRINGS

Trib. to: FOX CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	33	NE	NE	NE		TETON
			SE	NE			TETON

5. Description of diverting works:
HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.400		

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

A.F.A.

8. Total consumptive use is 318.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	33	NE	NE		IRR	31.0
			NW	NE		IRR	25.0

A22-00094

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Date: 09/29/88

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MICROFILMED

NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	33	SW	NE	IRR	39.0
			NE	NW	IRR	39.0
			NW	SE	IRR	21.0
			SE	SE	IRR	4.0
					Section Acres	159.0
					Total Acres	159.0

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:
NONE

14. Remarks:
EXPANDED TO INCLUDE SEC33 NENE, SENE, SWNE, NWSE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/02/1939

ROBERT GRIGGS
Decree Plaintiff

LYNN CRANDALL, W. M.
Decree Defendant

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: _____

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): Floyd W. Westenhulme Date: Sept 29 - 1988

Date: _____

State of Idaho _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of Sept 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 7-12-94

**T4N
R4SE**

48° 31' 00" N.

113° 37' 30"

489000m. E.

111° 07' 30"

NOV 04 1992

UNCLASSIFIED

SCALE 1:24000

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1 MILE

