

12/14/2006

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

RIGHT NUMBER: 22-133D
NAME AND ADDRESS: RICHARD A EGBERT
C/O BRAD EGBERT
1134 BOND AVE
REXBURG ID 83440-1810

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 2.800 CFS
PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:
T06N R45E S33 NWSWNE Within TETON County
T06N R45E S33 NESENE Within TETON County
T06N R45E S33 SENWNW Within TETON County
T06N R45E S33 NESWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	2.800 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S32	NENE	31.00	T06N R45E S32	SENE	20.00
T06N R45E S32	NESE	22.00	T06N R45E S32	NWSE	30.00
T06N R45E S33	SWNW	0.30	T06N R45E S33	SENW	1.00
T06N R45E S33	NESW	17.00	T06N R45E S33	NWSW	19.00

140.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 140.3 acres in a single irrigation season. Combined Right Nos.: 22-133D, 22-191, 22-526A, 22-527A, 22-554B, and 22-555B.

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 subject to regulation by the watermaster of Water District No 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



Idaho Department of Water Resources

SRBA Recommendation:

22-133D

22-191

22-526A

22-527A

22-554B

22-555B

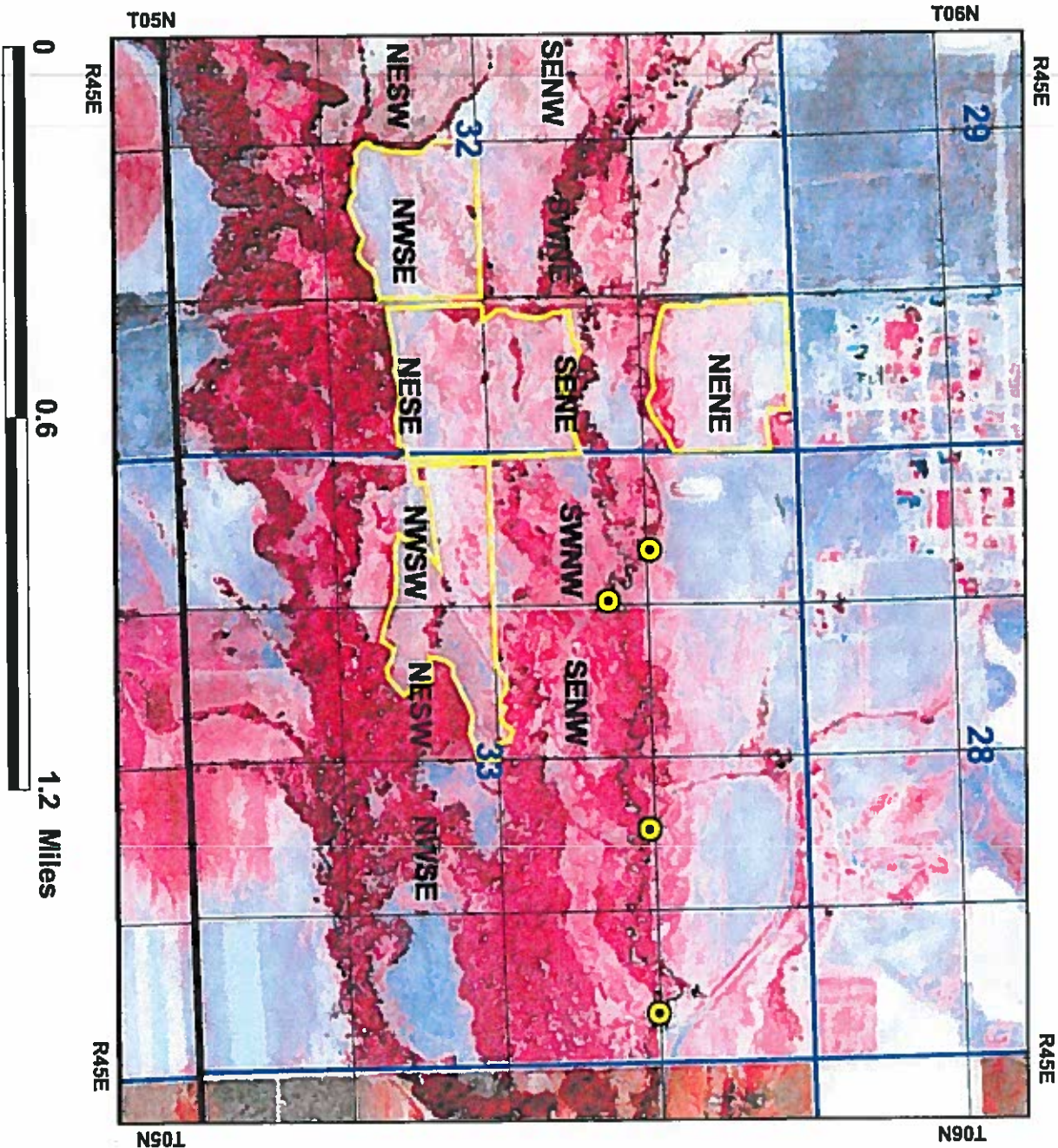
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by K. Moore
On Thursday, December 14, 2006
1987/88 Aerial Photography

AJ0749NP
No. A22-00133D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD A EGBERT	01/22/1916	IRRIGATION	04-15 10-15	11.550 CFS	
C	ALTA P EGBERT					
C/O	BRAD EGBERT					
	35 W 1ST S					
	REXBURG ID 834401810					
	(208) 456-2645					
					TOTAL DIVERSION: CONSUMPTIVE USE:	680.00 AFA

Water Source: SPRING CREEK
SOUTH LEIGH CREEK

Tributary to: TETON RIVER
TETON RIVER

Stage: DECREED

Point(s) of Diversion: T06N R45E S33 S33
MUSANE
SWMSE
NESENE
SWMNW
MUSENW
TETON County
TETON County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NE NE	SW NE	SW NW	SW SE	
05N 45E 5	: 01-40	: 40	: 40	: 40	: 40.0
06N 45E 32	: 40	: 40	: 40	: 40	: 200.0
06N 45E 33	:	:	:	:	: 100.0
					: 340.0
					TOTAL ACRES

POU County: TETON

Non-Irrigation Uses: NONE

Other Rights: SEVERAL DECREED RTS.

Remarks: GEN HIGH WATER RIGHT. SPLIT BY OWNERSHIP.

ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date: Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Water Right and SRBA Split History Analysis

22-133A C. MUIR	32 cts	SPRING CK	CPZ FROM NO. LEIGH
	158 ac.		
22-133B F. ALANSEN	134 cts	SPRING CK	CPZ FROM NO. LEIGH
22-133C M. BARR	30 cts	NO. LEIGH CK	CPZ TO SPR
	7 (combined total)		287 ac.
22-133D R. EGBERT	1155 cts	SA. LEIGH CK	CPZ SPR
22-133E A. WILSON	30 cts	SPRING CK	CPZ FROM NO. LEIGH
	138 ac.		
22-133F K. LUNDQUIST	591 cts	NO. LEIGH CK	CPZ TO SPR
	179 ac.		

22-133
282 cts 01/22/1916
NORTH LEIGH CK
(TRIP TO SPRING CK)

cts CLAIMED IN-FULL

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

stated quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiffs.

XI.

That the plaintiffs, Richard A. Egbert, Samuel M. Egbert, J. R. Hansen, Jos. H. Bahr, Emma H. Hanks, Frank Harrop, G. L. Wade, New International Mortgage Bank, Ltd., a corporation, are the owners of, or have an estate in, the following described lands, to-wit:

SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 24, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 23, all in township 6 north, range 44 E.B.M.; All of section 25 and the E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 26, township 6 north, range 44 E.B.M.; NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ of section 32 in township 6 north, range 45 E.B.M. SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 19; S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 30 in township 6 north, range 45 E.B.M., containing 1400 acres, more or less,

and are the owners of a common ditch by and through which they divert water from North Leigh Creek for the irrigation of the above described lands, with point of diversion and diversion works located on the north side of North Leigh Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 23 in township 6 north, range 45 E.B.M; that the plaintiffs, or their predecessors in interest, have diverted 28 cubic feet or 1400 miners inches of the waters of North Leigh Creek, through their common ditch, with point of diversion and use upon the above described lands; that on or before and ever since the 22d day of January, 1916, have diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigating season the above stated quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiffs.

XII.

That the plaintiffs, James Lowe, A. C. Miner, Seth Hansen, and Union Central Life Insurance Company, a corporation, are the

Claim No. 22-1330

Document Checklist

☒ Copy License/Decree Query tools

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

This RT is CLAIMED AS SEVERAL SPLITS -

SOME OF WHICH DO NOT APPEAR TO GET ANY
PART OF THIS RT.

Further INVEST OF THE SPLIT IS NEEDED!

SOURCE IS ALSO A QUESTION - THIS IS A
SPRING CH RT - NOT SO LOUGH CK

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 QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
10N	45E	33		NW SW NE	Teton	Spring CK	Teton River Tetonia Canon
"	"	"		NE SE NE	"	"	"
"	"	"		SW NW NW	"	"	"
"	"	"		NW SE NW	"	"	"
"	"	"		SW NW SE	"	"	"

Other rights from this POD? _____

Transfers Pending or approved: _____

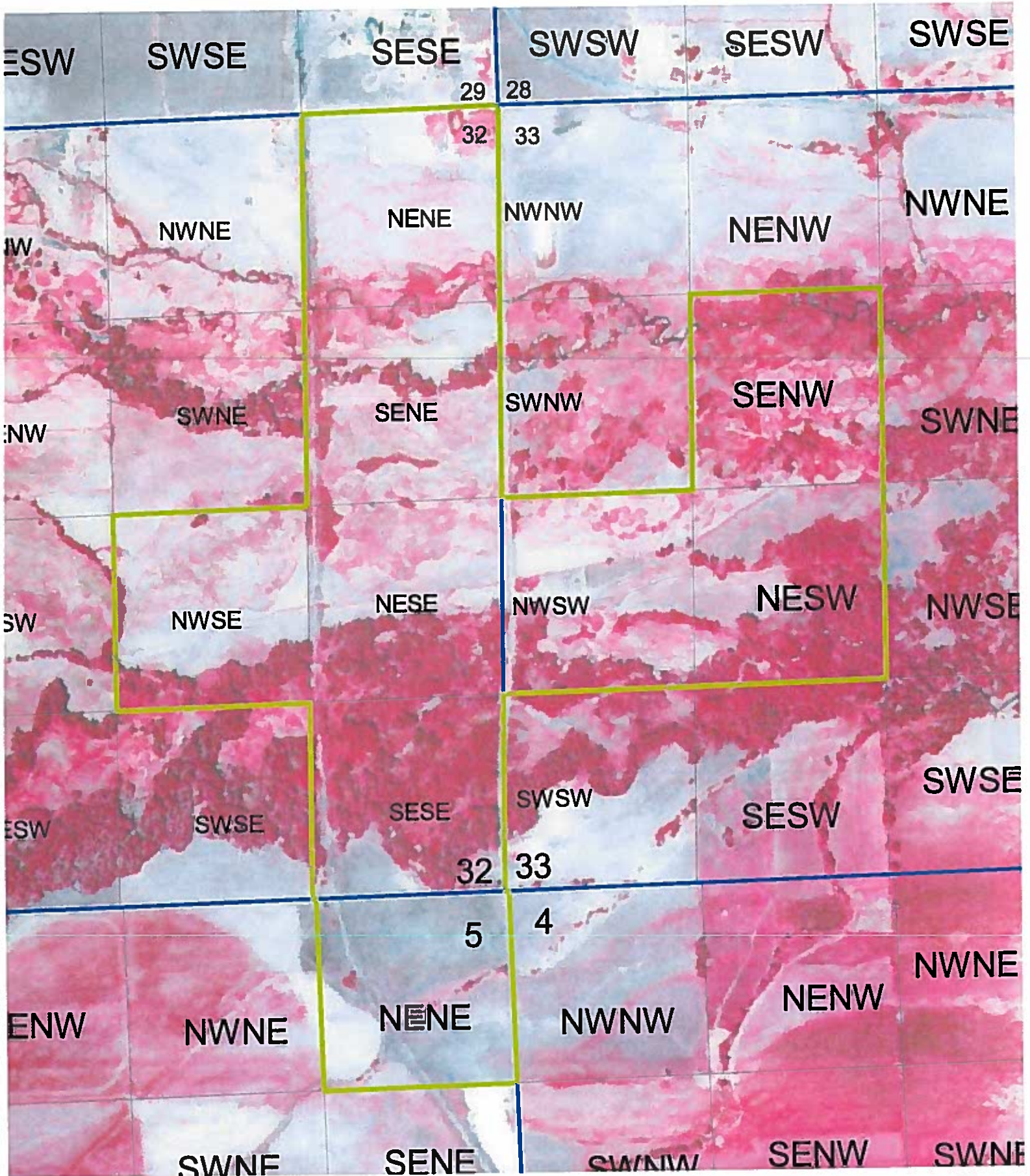
Document how the POD and Source were verified:

The Source on this claim should only be Spring Creek, North Seigh and not South Seigh!

* Claims South Logan CK POD to POD in Sec. 5 - THIS IS NOT PART OF THIS CLAIM → Requires some other Pt.

Reviewer: _____ Date: _____

22-133D





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

RICHARD A EGBERT
35 W 1ST S
REXBURG ID 83440-1810

Go Brad Egbert

cc: W.A.

KARL J. DREHER
DIRECTOR

RECEIVED
AUG 27 1999

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)
Water Rights - Please See Attached List

Dear Water Right Holder:

*Records changed, NCAP prepared.
as 8-30-99*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

1 Service Requested

RECEIVED
AUG 10 1999
Department of Water Resources

35-07349
RICHARD A EGBERT
PO BOX 9

TETONIA

ID 83452

EGBE009 834522002 1A98 05 08/07/99
RETURN TO SENDER
EGBERT
300 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER

83452X0009



AJ581NP
SELECTION FILE: EGBERT

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

22-11922	31-10671	31-10681	31-10686	35-02732	35-07349	35-07933	35-07934	A21-07295	A21-07296
A22-001330	A22-00189A	A22-00191	A22-00526A	A22-00527A	A22-00554B	A22-00555B	A22-00568A	A22-02100A	A22-07279A
A22-11912	R31-07083	R31-07084	R31-07103	R31-07104	R31-07105	R31-07106	R31-07107	R31-07108	R31-07121
R31-07148	R31-07149	R31-07150	R31-07151	R31-07152	R31-07192	R31-07193	R31-07375	R31-10677	

TOTAL RECORDS IN SELECTION FILE: 39

EGBE 009

35-02732
RICHARD A EGBERT
310 EGBERT AVE

TETONIA

ID 83452

RECEIVED
AUG 10 1999

Department of Water Resources

EGBE009 834522002 1A98 05 08/07/99
RETURN TO SENDER
EGBERT
300 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER



DATE: 08/10/99
TIME: 10:56:21
PAGE: 1

cc: R.A.
Permits
"Correct" Richard's
missed



State
DEPA
150 Sho

EASTERN REGION

RD A. EGBERT LIMITED PARTNERSHIP
RICHARD A. OR ALTA P. EGBERT
TETONIA, ID 83452

1213
92-239/1241

Oct 27 19 88

Pay to the order of The Dept Water Resources \$ 1168.00
Eleven hundred sixty eight and 00/100 Dollars

VALLEY BANK
DRIGGS OFFICE
P.O. BOX 8
DRIGGS, IDAHO 83422

RICHARD A. EGBERT LIMITED PARTNERSHIP
Richard A. Egbert

For _____

Rocky Mountain Bank Note B-3

October 5, 1988

Mr. Richard A. Egbert
Tetonia, Idaho 83452

RE: Teton County Adjudication claims:

Dear Mr. Egbert;

As we discussed over the phone, please find enclosed your check no. 1213 in the amount of \$1168.00. In its place please return a check in the amount of \$50.00 to cover the filing cost of claim A22-00133D. There will be no late fee assessed if the fee is received within 30 days of this letter (November 5, 1988).

I have also enclosed copies for your records of all the claims you filed at the mobile office in Driggs.

It was a pleasure working with you and I wish you luck during the busy harvest season! As always, please let us know if you have any questions regarding these filings.

Sincerely;

Eric S. Verner
Sr. Water Rights Agent

Enclosures

MICROFILMED
NOV 04 1992

Not later received
by 11/4/88 ES/

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: A22-00133D
Date Received: 9/27/1988
Receipt No: ~~A22-00133D~~ 002953
Received By: ES/
Paid 10/6/88 ES/

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD A. EGBERT 208-456-2645
Address: TETONIA, ID 83452
OR
Name: ALTA P. EGBERT 208-456-2645
Address: TETONIA, ID 83452

A2200133D



2. Date of Priority: JAN 22, 1916

3. Source: SPRING CREEK Trib. to: TETON RIVER
SOUTH LEIGH CREEK TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	33	NW	SW	NE	-	TETON
			NE	SE	NE	-	TETON
			SW	NW	NW	-	TETON
			NW	SE	NW	-	TETON
			SW	NW	SE		TETON

5. Description of diverting works:
HEADGATES IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	11.550		

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

8. Total consumptive use is 680.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00133D

Page 1

Date: 09/27/88

MICROFILMED
NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	45E	5	NE		NE	1	IRR	40.0
							Section Acres	40.0
06N	45E	32	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	200.0
		33	SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
							Section Acres	100.0
							Total Acres	340.0

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:
SEVERAL DECREED RTS.

14. Remarks:
HIGH WATER RIGHT. SPLIT BY OWNERSHIP.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/02/1938

MARTELL HANSEN
Decree Plaintiff

vs

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 e 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): Richard A Egbert Date: 9-27-88

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of September 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994