

12/14/2006

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

RIGHT NUMBER: 22-137
NAME AND ADDRESS: IVY HANSEN
637 N 50 W
TETONIA ID 83452

RONALD D HANSEN
695 N 50 W
TETONIA ID 83452

FRANKLIN B HANSEN
637 N 50 W
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R45E S26 NWSWN 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	0.800 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S27 SWNE 31.00

31 ACRES TOTAL

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

Water is delivered through McPherson ditch.



Idaho Department of Water Resources

SRBA Recommendation:

22-137
(Irrigation)

Legend

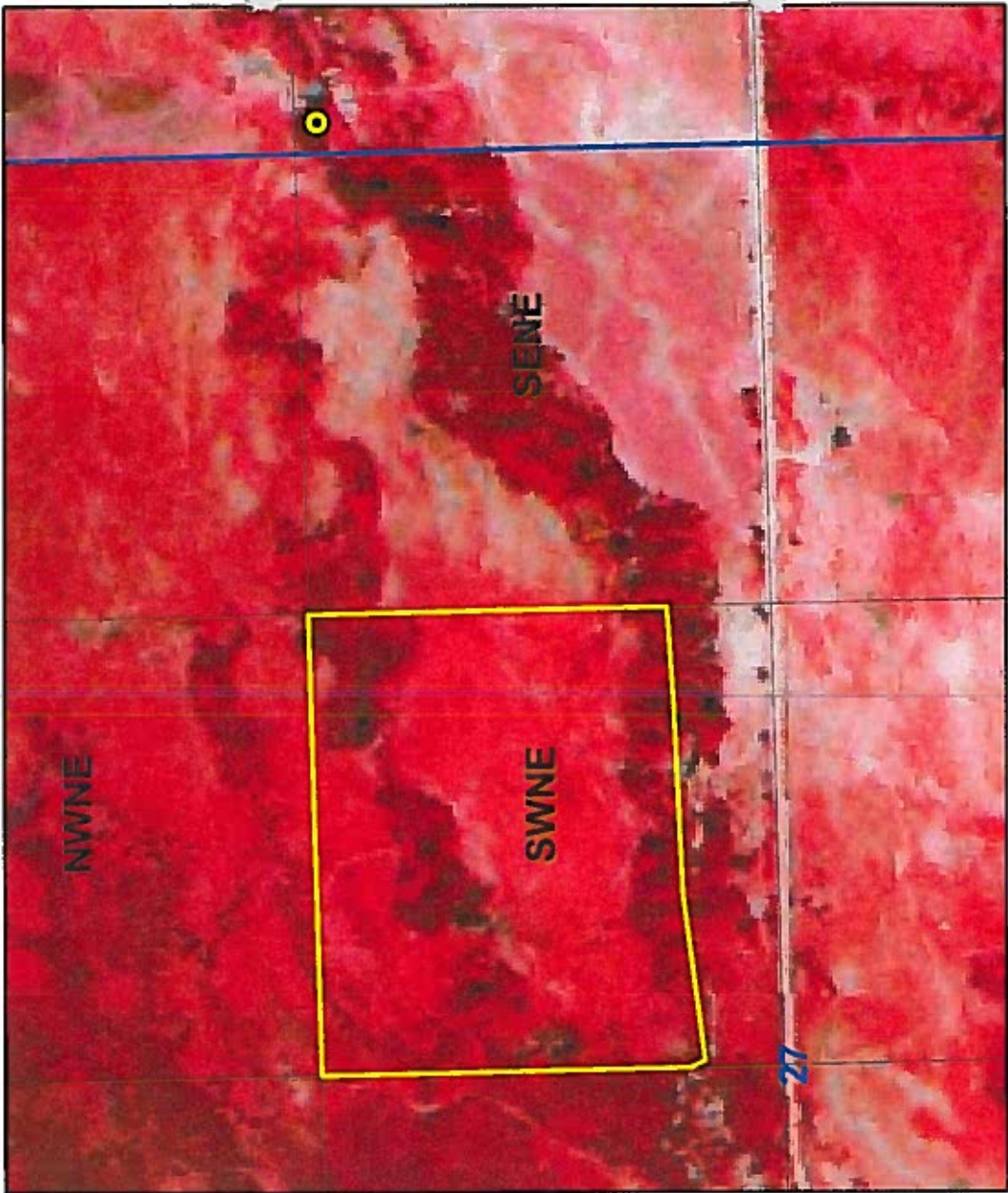
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22

Prepared by D. Carlson
On Thursday, December 14, 2006
1987/88 Aerial Photography

R45E

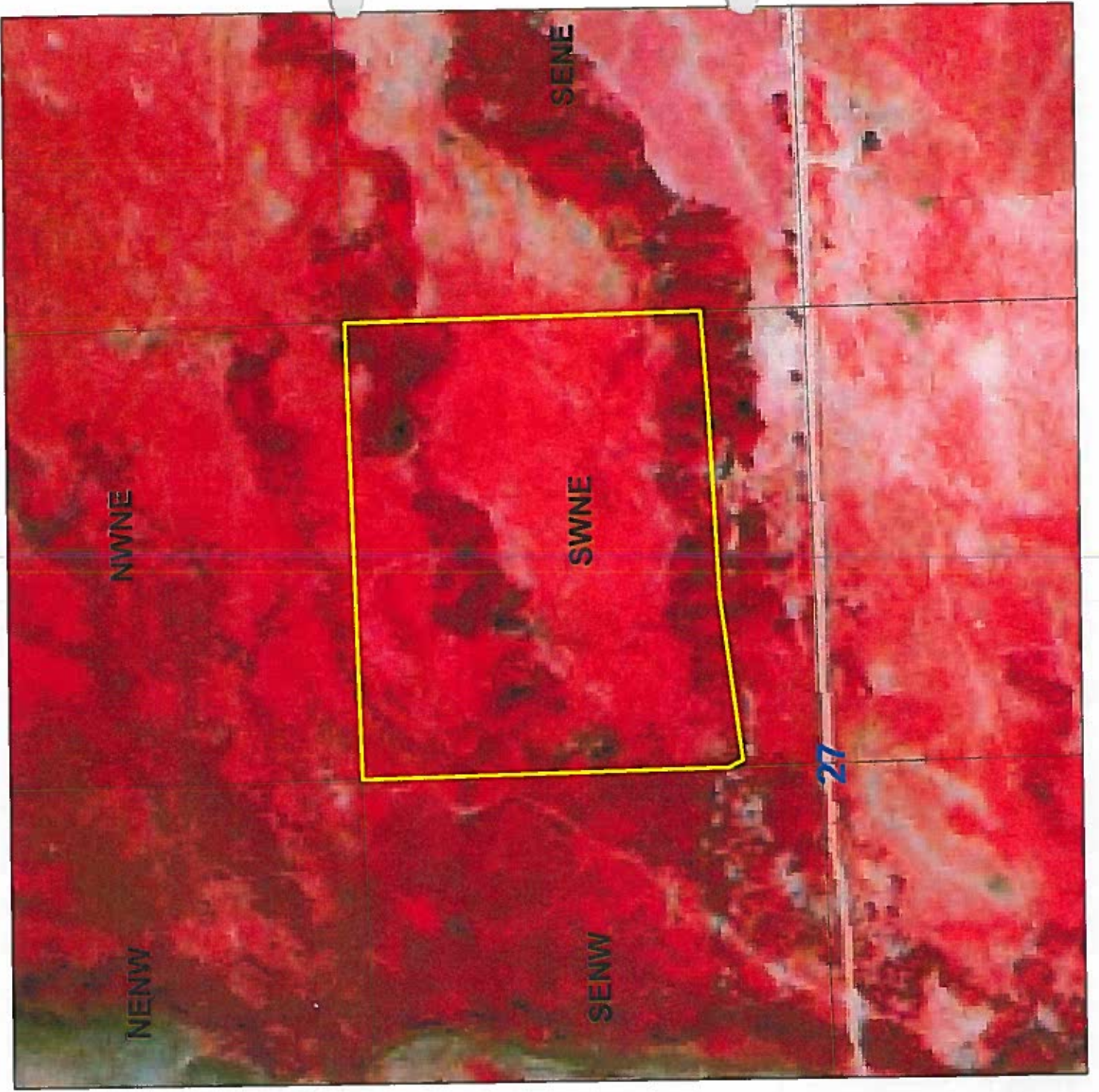


0.4 Miles

0.2

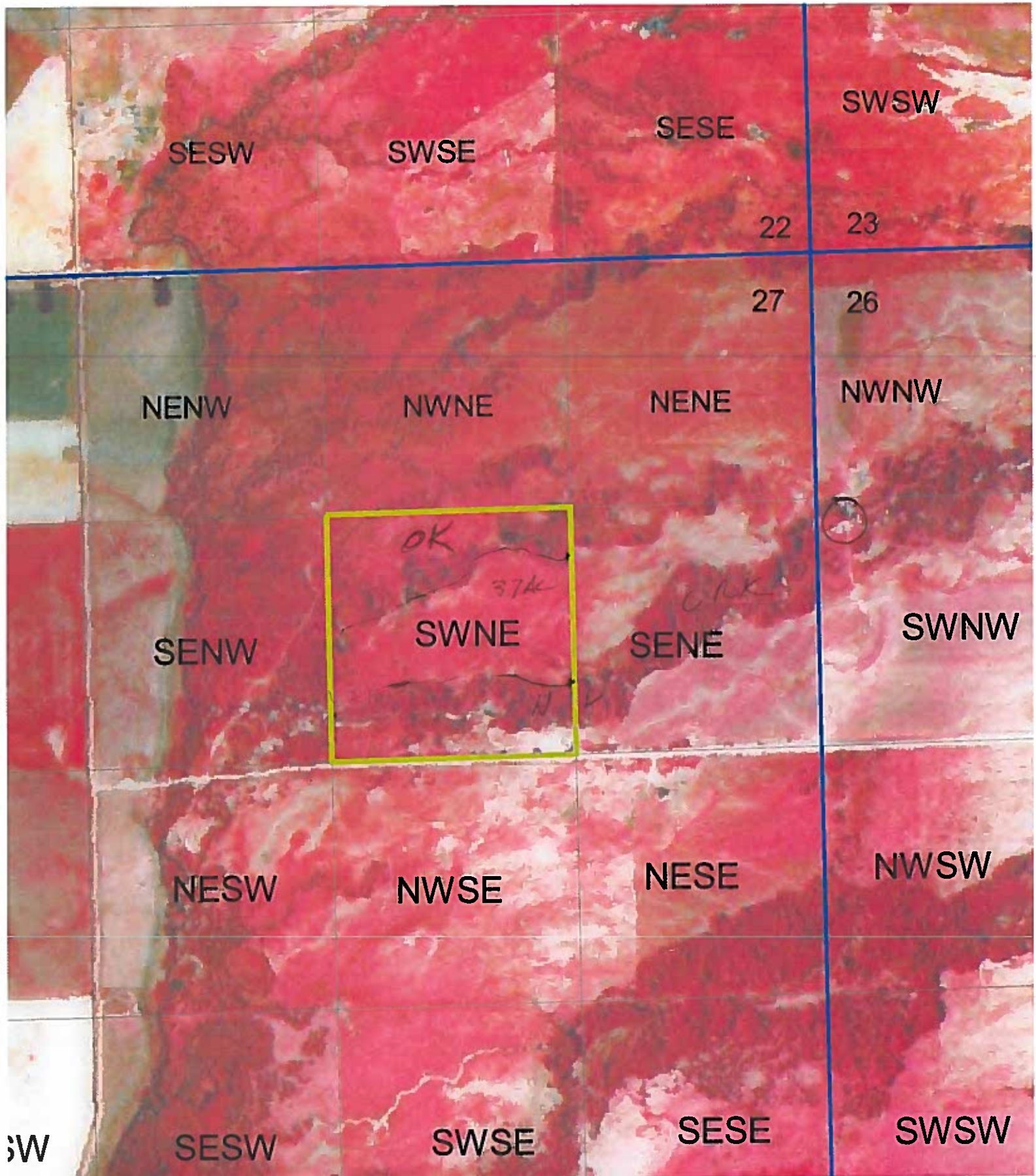
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22-137



22-137

North Leigh Crk



Spring

1456

1122-00137

AMEJIDE

DATE NOTIFIED
NOV 04 1992

TGN

NOTIFIED
NOV 04 1992

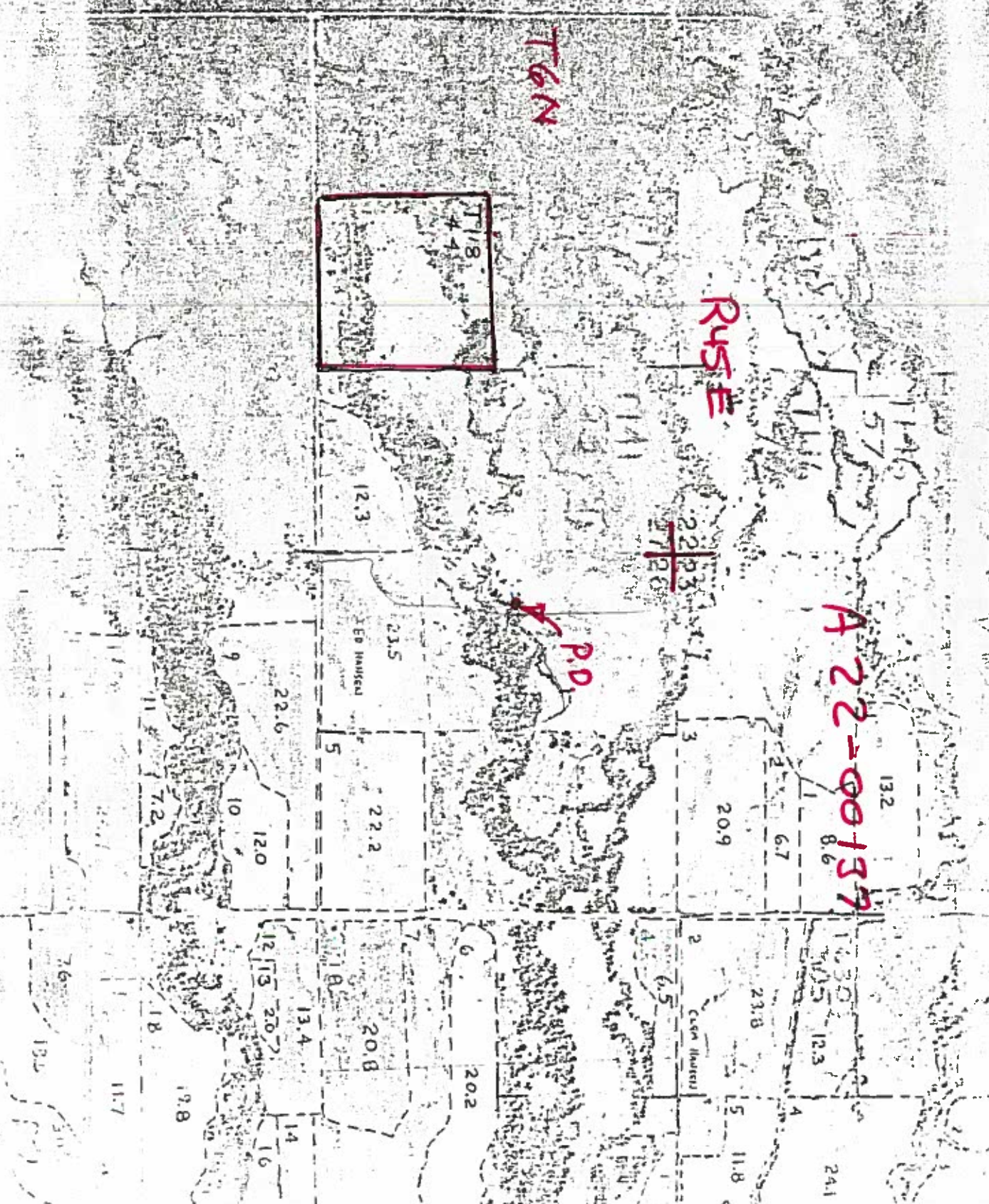
TGN

R45E

A 22-00137



P.O.



SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 26 in township 6 north, range 45 E.B.M.; S $\frac{1}{2}$ S $\frac{1}{2}$ of section 25; N $\frac{1}{2}$ NE $\frac{1}{4}$ of section 34; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 35, all in township 6 north, range 45 E.B.M., containing 520 acres of land 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 south side of North Leigh Creek in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 30 in township 6 north, range 46 E.B.M.; that the plaintiffs, or their predecessors in interest, have diverted 10.4 cubic feet or 520 miners inches of the waters of North Leigh Creek, through their common ditch, with point of diversion and use upon the lands above described; 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.

XV.

22-0137
That the plaintiff, David Hansen, is the owner of, or has an estate in, the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 27 in township 6 north, range 45 E.B.M., containing 40 acres, more or less,

and is the owner of a ditch by and through which he diverts water from certain unnamed springs for the irrigation of the above described lands, with point of diversion and diversion works located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 26 in township 6 north, range 45 E.B.M.; that the plaintiff, or his predecessor in interest, has diverted .8 cubic foot or 40 miners inches of the waters of an unnamed spring, through his certain 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, 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.

XVI.

From the above findings, the Court concludes, that, -

plaintiffs herein named are entitled, end, -

IT IS HEREBY ORDERED, ADJUDGED AND DECREED,

1. That the plaintiffs, Martell Hansen, R. S. Jackson, Glenn Peterson, Wayne Henrie, Dick Beard, David Beard, Spencer B. Little, Ed S. Little, E. C. Hansen, and G. F. Lofthouse, be awarded the use of 12 cubic feet per second or 600 miners inches of the waters of North Leigh 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.

2. That the plaintiffs, Miles Hastings, David Hansen and Edsell Egbert be awarded the use of 12 cubic feet per second or 600 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph VIII of the Findings of Fact.

3. That the plaintiffs, David Hansen, Union Central Life Insurance Company, a corporation, Dick Beard, E. C. Hansen, Martell Hansen and Miller & Viele, a corporation, be awarded the use of 10.4 cubic feet per second or 520 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, and with point of diversion and for the irrigation of the lands described in paragraph IX of the Findings of Fact.

4. That the plaintiffs, William Hansen, and James A. O'Brien, be awarded the use of 6.4 cubic feet per second or 320 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph X of the Findings of Fact.

5. 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, be awarded the use of 28 cubic feet per second or 1400 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XI of the Findings of Fact.

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

be awarded the use of 9 cubic feet or 450 miners inches of the waters of North Leigh Creek, with a date of priority of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XII of the findings of fact.

7. That the plaintiff, Village of Teton, a municipal corporation, be awarded the use of 3.2 cubic feet per second or 160 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion and set out in paragraph VII hereof, for the use of said Village and for domestic and other uses of the inhabitants thereof, as set out in paragraph XIII of the findings of fact.

8. That the plaintiffs, Miles Hastings, David Hansen, William Hansen, Alfred Hansen, Glenn Peterson and Lillie M. Hansen be awarded the use of 10.4 cubic feet per second or 520 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XIV of the findings of fact.

9. That the plaintiff, David Hansen, be awarded the use of .8 cubic feet per second or 40 miners inches of the waters of an unnamed spring, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XV 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 11 day of January, 1938.

DISTRICT JUDGE.

Claim No. 22-137

Document Checklist

- ☒ Copy License/Decree Hansen v Crandall
- ☐ Copy Transfer _____
- ☐ Copy Licensing Field Exam _____
- ☐ Check if Ownership/Address Change is Required _____
- ☐ Generate, mail and file "Evidence of Priority" letter _____
- ☒ Generate Arcview Map _____

sec 27 SWNE - 40A

October 11, 1990

Donald L. Harris
of Holden, Kidwell, Hahn & Crapo
West One Bank Building
P.O. Box 50130
Idaho Falls, ID 83405

RE: Amended Notice of Claim A22-00137

Dear Mr. Harris:

I am returning the Amended Notice of Claim to Water Right A22-00137 submitted by your office along with a copy of the Amended Notice already on file with the Department.

It appears the intent of the Amended Notice is to change the source of water from North Leigh Creek to Unnamed Springs. When springs are identified as the source of water, the Rules and Regulations require identification of the points of diversion by 10-acre tract (1/41/41/4) in Item 4. The Amended Notice lists only 40-acre tracts (1/41/4). To process the proposed change, please identify the 10 acres where each spring is located.

A copy of the Amended Notice, already processed, is being provided for your records. It may be a coincidence, but I thought it was peculiar that the location of the points of diversion on the new Amended Notice match the first two 1/41/4's, reading left to right for each point of diversion listed under Item 4 on the processed Amended Notice.

Naturally, if you have any questions, feel free to contact this office.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

File: GC

MICROFILMED

NOV 04 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

September 7, 1990

RECEIVED

SEP 7 1990

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

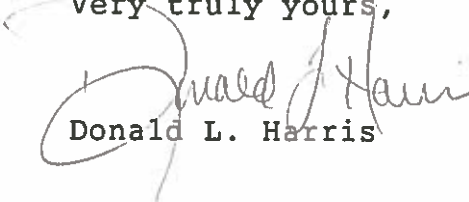
Department of Water Resources
Eastern District Office

Gentlemen:

We are enclosing for filing an Amended Notice of Claim in
Bonneville County, Idaho, on behalf of Franklin and Ivy Hansen.

Thank you for your assistance with this matter.

Very truly yours,


Donald L. Harris

#6539.00/srr

Enclosure

MICROFILMED

NOV 04 1992

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 22-137
Date Received: 9/12/1988
Receipt No: E002202
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IVY HANSEN Phone:

637 N 50 W
TETONIA ID USA 83452

RONALD D HANSEN Phone: (208)456-2392

695 N 50 W
TETONIA ID USA 83452

FRANKLIN B HANSEN Phone: (208)456-2562

637 N 50 W
TETONIA ID USA 83452

2. Date of Priority: 01/22/1916

3. Source: NORTH LEIGH CREEK , SPRING , NORTH LEIGH CREEK , NORTH LEIGH CREEK
Trib. to: SPRING CREEK , NORTH LEIGH CREEK , SPRING CREEK , SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	45E	26	NW SW NW	TETON	
06N	45E	26	NW SW NW	TETON	SPRING
06N	45E	26	SW NW NE	TETON	
06N	45E	30	SE SW NW	TETON	

5. Description of diverting works:

DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	3/01 12/01	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	27	SW	NE	IRRIGATION	37
					Section Acres	37
					Total Acres	37

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:

14. Remarks:

15. Basis of Claim: Decreed

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): Ronald Offenberg Date: 3-11-04
Jt. Ronald Offenberg Date: _____

State of Idaho

County of Donneville) SS.

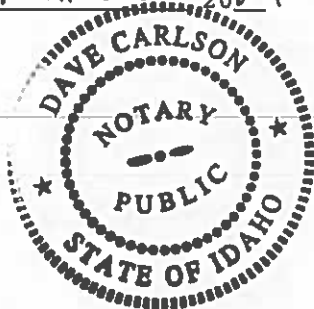
Subscribed and sworn (or affirmed) before me this
of March 2004

11 Dave Carlson

Notary Public

Residing at Regby, Id

My commission Expires 2/26/2008



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

OCT 3 1988

Department of Water Resources
Eastern District Office

Ident. Number: A22-00137
Date Received: 9/12/1988
Receipt No: E002202
Received By: EB

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRANKLIN HANSEN 208-456-2562
Address: 637 N. 50 W.
TETONIA, ID 83452
OR
Name: IVY HANSEN
Address: TETONIA, ID 83452



2. Date of Priority: JAN 22, 1916
3. Source: NORTH LEIGH CREEK Trib. to: SPRING CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	26	SW	NW	NE		TETON
			NW	SW	NW		TETON
		30	SE	SW	NW		TETON

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.800		

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

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00137

Page 1

Date: 09/19/88

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	27	SW NE		IRR	37.0
Section Acres						37.0
Total Acres						37.0

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:

15. Basis of Claim: DECREED
Water Right Number: 220137
Case Number:
Court :
Decree date: 1/03/1938

MARTELL HANSEN

Decree Plaintiff

vs

LYNN CRANDALL

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: 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): Franklin Hansen Date: 9-22-88
_____ Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Sept 19 88 Dwight A. Acubatis
Notary Public

Seal

Residing at Driggs, Idaho
My Commission Expires 8-1-92

87

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: A22-00137
Date Received: 8/31/1988
Receipt No: E002202
Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANKLIN HANSEN 208-456-2562
Address: 637 N. 50 W.
TETONIA, ID 83452

OR

Name: IVY HANSEN
Address: TETONIA, ID 83452

2. Date of Priority: JAN 22, 1916

3. Source: NORTH LEIGH CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	26	NW	NW			TETON

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.800		

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

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	27	SW	NE		IRR	37.0
Section Acres							37.0
Total Acres							37.0

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:

15. Basis of Claim: DECREED
Water Right Number: 220137
Case Number:
Court :
Decree date: 1/03/1938

MARTELL HANSEN

Decree Plaintiff

vs

LYNN CRANDALL

Decree Defendant

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 x 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): Franklin B. Hammer Date: 9/12/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of September 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94