

08/29/2006

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

RIGHT NUMBER: 22-141C
NAME AND ADDRESS: JACK MAY
PO BOX 1069
JACKSON WY 83001

CAROL MAY
PO BOX 1069
JACKSON WY 83001

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 06/01/1898
POINT OF DIVERSION:

T06N R45E S33 NWSWE 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	0.400 CFS

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S31 SESE 20.00

20 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through Black Ditch.

02/13/2006

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JACKSON WY 83001

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QUANTITY: 0.400 CFS
PRIORITY DATE: 06/01/1898
POINT OF DIVERSION: *Nope*
T06N R45E S33 SWNESW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.400 CFS

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S31 SESE 20.00

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through Black Ditch.

22-7008



Idaho Department of Water Resources

Adjudication Claim:

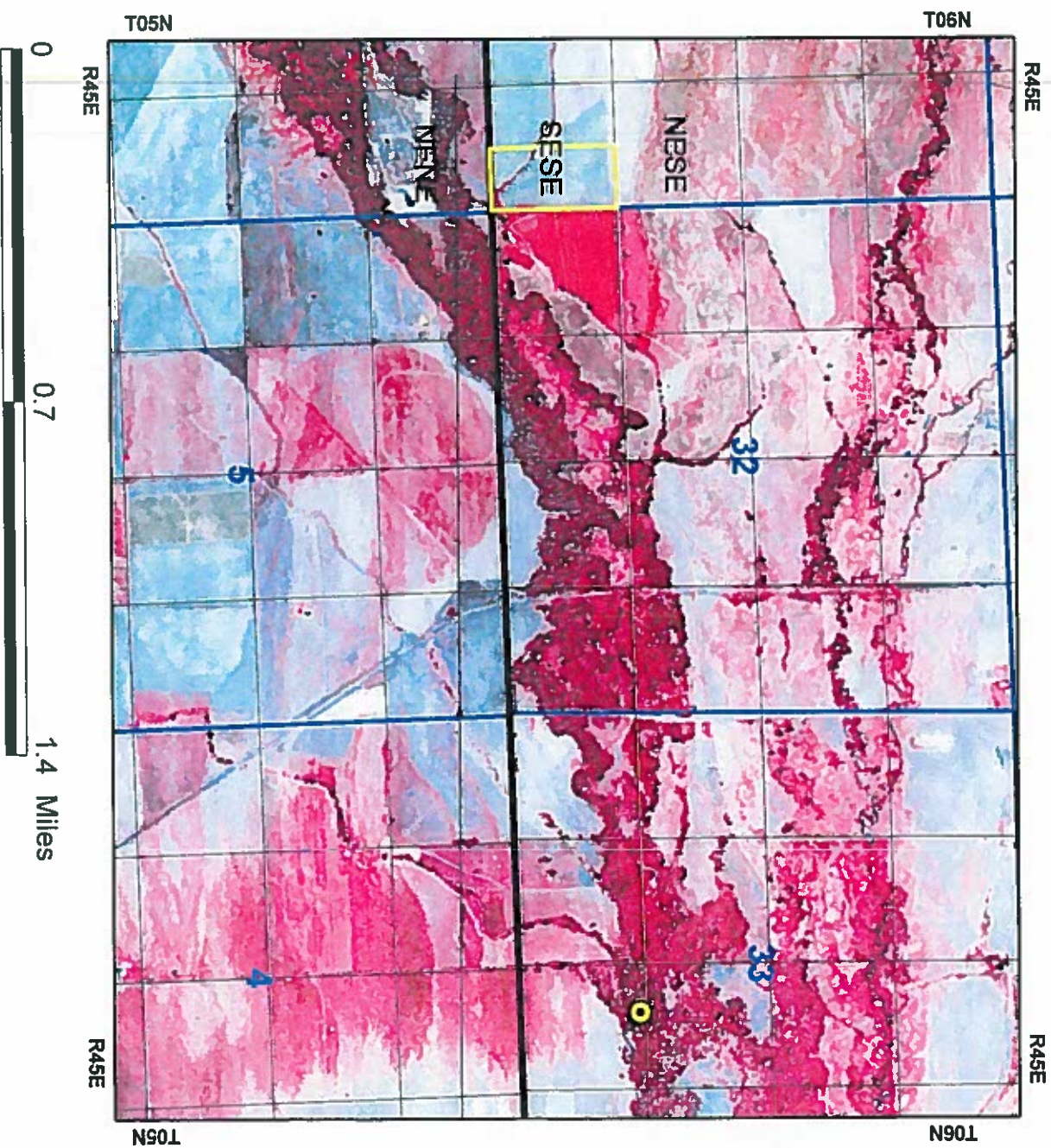
22-141C

Legend

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



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Tuesday, August 29, 2006
1987/88 Aerial Photography

22-141C



31

NESE

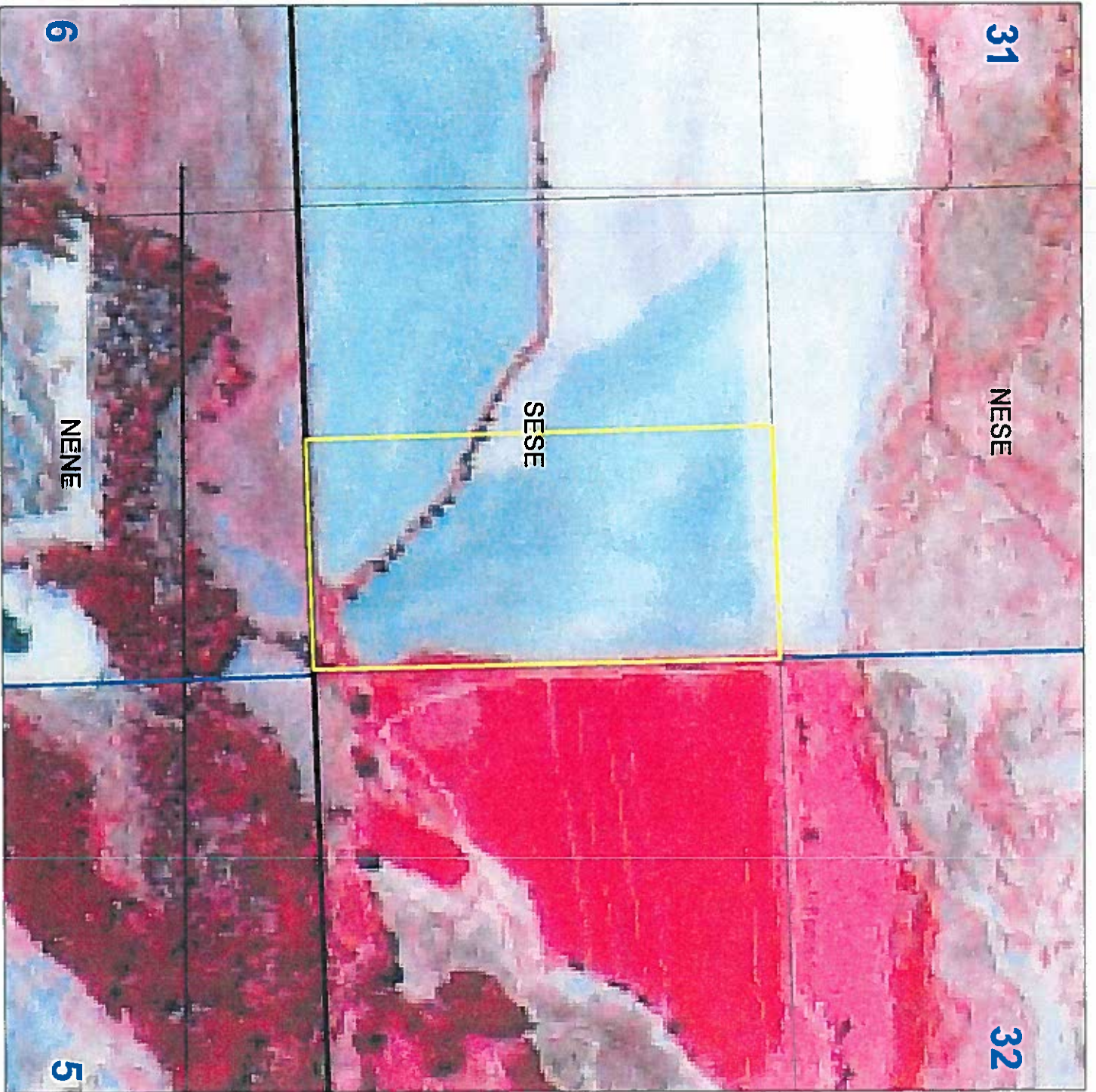
32

SESE

6

NENE

5

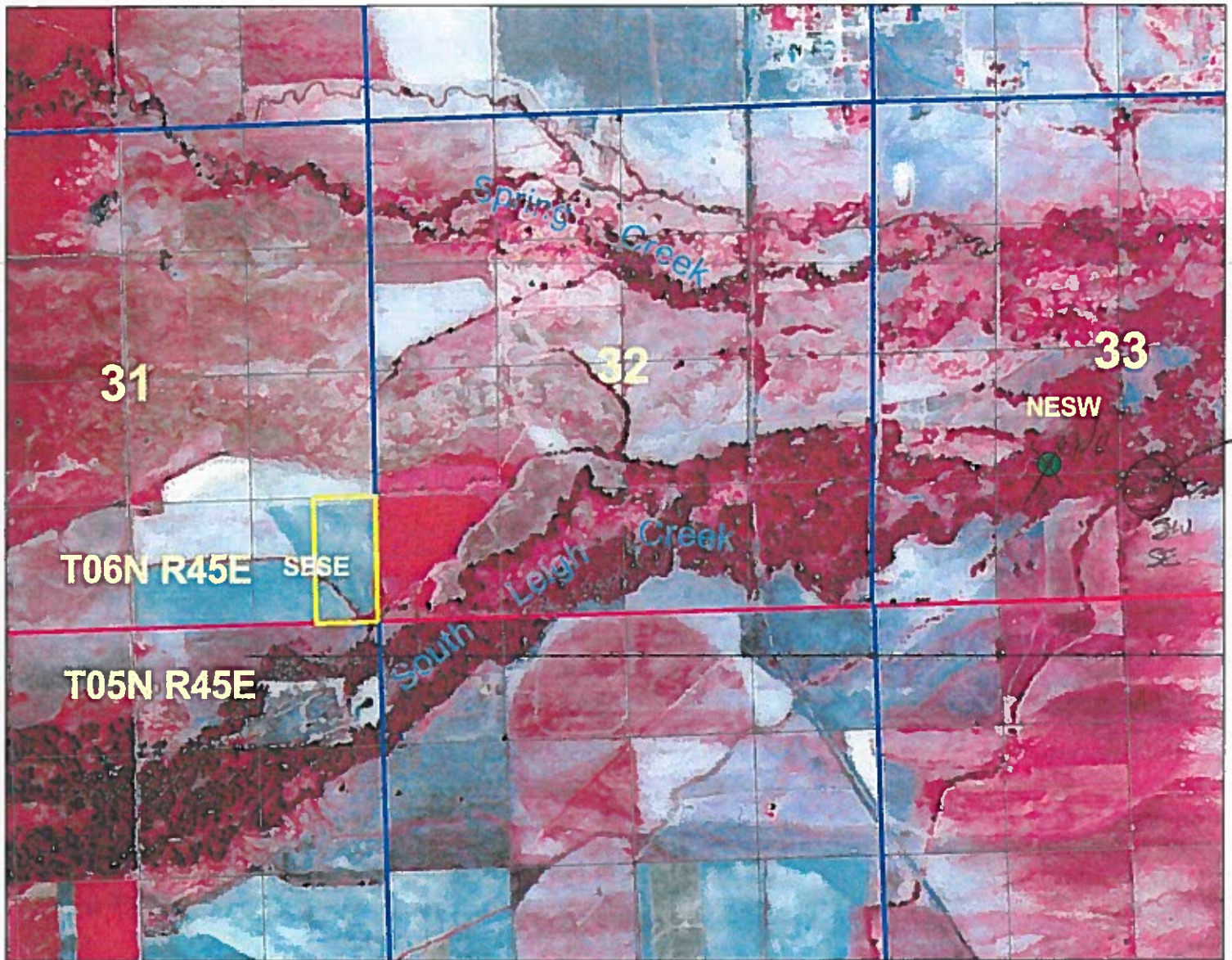


Department of Water Resources

Eastern Region

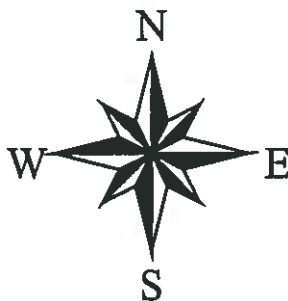


Claim No.: 22-141C



0 1000 2000 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: February 2006

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.

DD
7/12
I am not sure which 20 acres goes to
Mays. It appears that this 40 acres can
all be irrigated.

I lease refer to claim A2200 141F

The map of field exam and notes are in that
file

GPS and description of Black Ditch
(Hanks Ditch, sometimes referred to) are in
that file.

copied and put
in here

Reviewer: _____ Date: _____

Water Right No(s). A2200141R

GPS DATA:

Tag # A0813851 Location: headgate wall

Diversion Data:

Source: South Leigh Creek Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Place of use is several miles from POD.

Field Exam Date: _____ Agent: _____

02/26/2004

IDWR Field Exam Form

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

7/12/04 Not certain which parts of 20 acres parcels in Sec 31 belong to claimant.

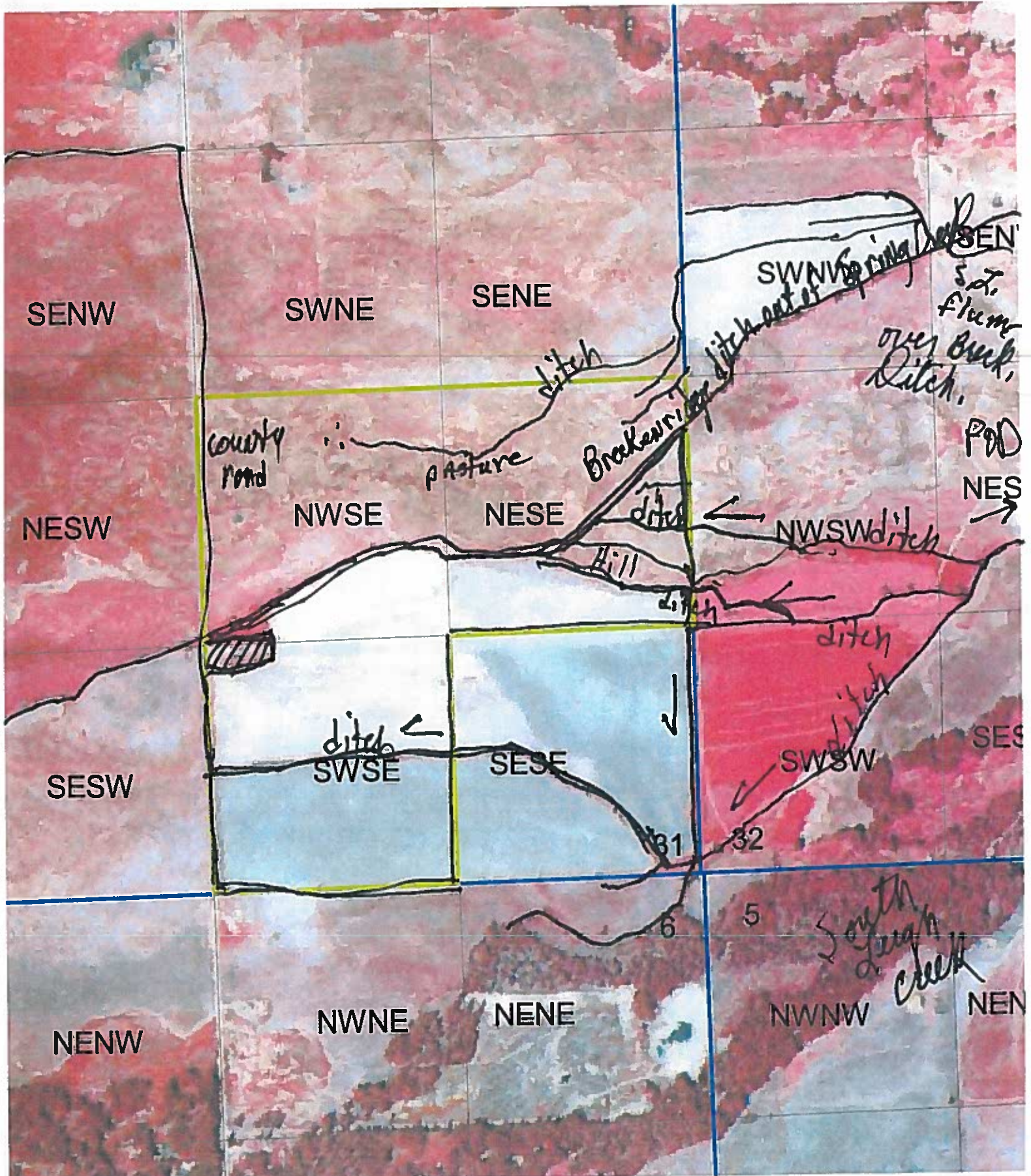
The water for this diversion and claim comes out of South Fork Creek. To cover the northern parts of this decree the water is flumed across a ditch (Breckenridge Ditch) that comes out of Spring Creek.

Irrigation is done by means of dams and a series of ditches.

Reviewer: _____ Date: _____

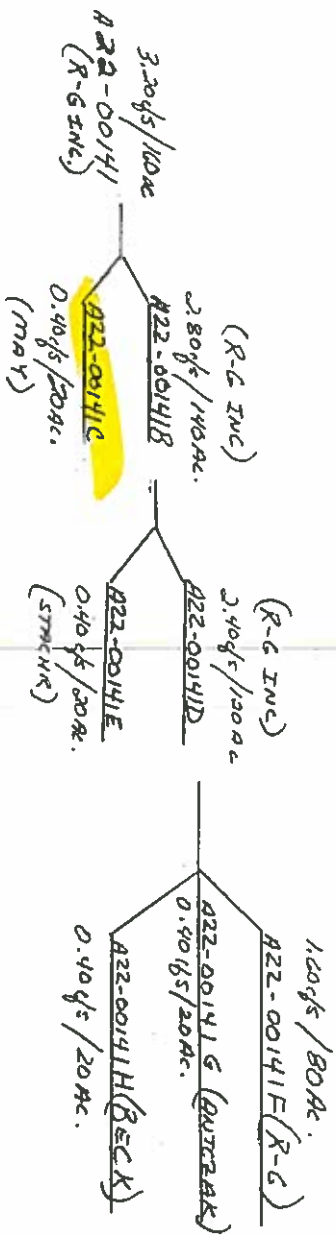
22-141F

7/12/04 DO



W.K. 00-00171 - 0.0000/1000000 - 1.0000

A22-00141A -> B/u Cumm For 1.00/s in Sec. 6



VALID RESULTS APPER TO BE A22-00141C .40

00141 E .40
00141 F 1.60
00141 G .40
00141 H .40
3.200/s/160 Ac.

MICROFILMED
NOV 06 1990

22-T
numbered ✓

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

GEORGE H. PEARSON & LUELLA D.
PEARSON, husband and wife,

plaintiffs

vs.

HENRY EAGLE, WATERMASTER
District, 36, Idaho

defendants

D E C R E E

WHEREAS, this cause came on to be heard at Driggs, Teton County, Idaho on the 12th day of October, 1961, in open Court, and pursuant to a special letter notice given to the named defendant herein; and all other persons interested, and pursuant to a Notice of Pendency of this action, containing such matter as is required by law, having been published in the Fremont^{County} Chronicle News, a weekly newspaper published at St. Anthony, Fremont County, Idaho; and the Teton Valley News, a weekly newspaper published at Driggs, Teton County, Idaho; in accordance with the Order issued out of this Court; and

WHEREAS, the named defendant, Henry Eagle, Watermaster of District 36 of the State of Idaho not appearing in person nor through counsel, though notice as aforesaid having been given to him, but other persons interested did appear in open Court, and were represented by counsel, Ray W. Rigby, of Rexburg, Idaho, and did offer oral testimony and submit evidence in support of their objections to the granting of the prayer of the Plaintiffs; and

WHEREAS, after having fully examined all of the evidence in the cause as presented by the Plaintiffs, represented by Attorney H. S. Forbush of Driggs, Idaho, and the testimony and evidence submitted by the objectors, represented by Ray W. Rigby, Attorney at Law, the Court made findings of fact, and therefrom conclusions of law, as follows:

(1) That prior owners of the property described as the Southeast quarter of Section 31, township 6 North, Range 45 East, Boise Meridian, did appropriate from the waters of South Leigh Creek 160 inches thereof for the

irrigation of said property prior to June 1, 1898.

(2) That the use of said amount of water ~~was necessary for the beneficial~~
use of the property described:

(3) That the use of such water for such purpose has been continuous since
said date:

(4) That the right of plaintiff to have his appropriation declared as a
matter of law was not debarred by the decree entered in the Rexburg Irrigation
Co. case, supra;

(5) That plaintiff by reason of the appropriation made by his pre-
decessors in interest has a right to the use of 160 inches of water from
South Leigh Creek for the lands described as the southeast quarter of section
31, township 6 north, range 45 east, Boise Meridian, with a priority date of
of June 1, 1898.

22 1171 ✓
(20-0141) NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, that the plaintiffs
George H. Pehrson and Luella D. Pehrson, husband and wife, are entitled to, and
are hereby awarded 160 inches of water from South Leigh Creek, with a priority
date of June 1, 1898 for the irrigation of their real property, described as
follows, to-wit:

Southeast Quarter of Section 31, Township 6 North, Range 45 E.B. M., and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the foregoing adjud-
ication of water be made subject only to the Decrees, in a certain action in the
District Court of the Ninth Judicial District of the State of Idaho, in and
for the County of Fremont, entitled "Rexburg Irrigation Company, et al, Plaintiffs,
vs. Teton Irrigation Canal Company, et al, Defendants, "dated and filed
December 16th, 1910; in a certain action instituted in the District Court of the
Fourth Judicial District of the State of Idaho, in and for the County of Twin
Falls, entitled "Twin Falls Canal Company, Plaintiff, vs. Charles N. Foster,
et al, Defendants, "filed on the 20th day of June, 1913, and the amended decree
thereto, dated September 12th, 1916, and filed September 21st, 1916, and in a
certain action, instituted in the United States District Court of Idaho, Eastern Division
entitled "Woodville Canal Company", a corporation, Plaintiffs vs. Clark and

Edwards Canal Company, a corporation, et al, defendants," "Dated the 25th day of June, 1929, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the defendant and all persons claiming by, through or under him, or either or any of his successors in office, and all persons claiming to have acquired any right or interest in or to or upon the said waters, hereinbefore decreed, by through, or under any person whatsoever, except the Plaintiffs herein, be hereby enjoined and restrained from obstructing, or in any way interfering with the flow of said waters, through the ditches of the Plaintiffs.

Done in Chambers, in the Courthouse at Rexburg, Madison County, Idaho, this 16th day of November, 1961.

s/ WILLARD C. BURTON

Judge of the District Court

STATE OF IDAHO

County of Fremont,

I, La Monte Bauer, Clerk of the District Court, and Ex-Officio Auditor and Recorder, do hereby certify the above and foregoing

to be a true and correct copy of that certain decree as the same appears on file and of record in my office as Instrument No. . . . , in Case 5665

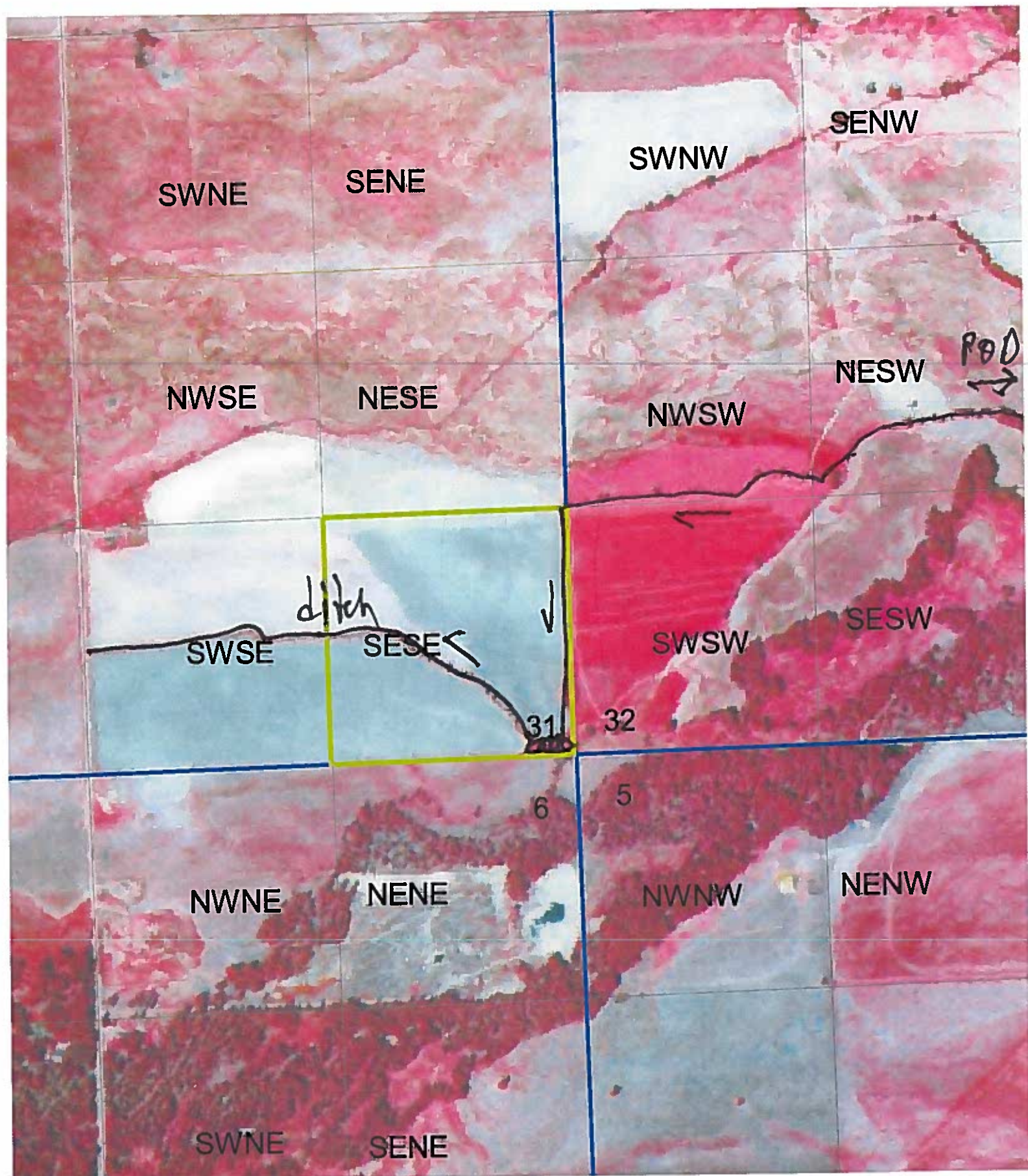
WITNESS my hand and seal of said office this 20 day of February, 1962.

s/ LaMonte Bauer, Clerk

By: Maud Bird, Deputy

22-141C 7/12/04 *EO*

22-141C 7/12/04 *EO*





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

AUGUST 8, 1994

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JACK MAY
BOX 1069
JACKSON WY 83001

RE: CHANGE IN OWNERSHIP FOR A22-00141

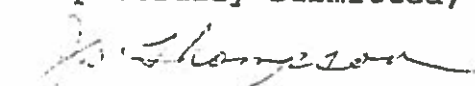
Dear Mr. May:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) (A22-00141) has been split as follows:

A22-00141B, R-G Ranch, 2.80 cfs; 140 acres
A22-00141C, Jack May, 0.40 cfs; 10 acres

Review the Notices and if there are other corrections or questions, feel free to contact this office (525-7161). If there are no questions, please keep these Notices for your records.

Respectfully submitted,


Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

cc: R-G Ranch, copy of A22-00141B

8-23-94

Although the Notice of claim, A22-00141C, reflects 20 acres for Jack May, the letter that was mailed to him stated he had 10 acres which is an error; should have read 20 acres. My apologies





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 7-26-94

AUG 01 1994

Department

RECEIVED

LEGAL DESCRIPTION OF PROPERTY: Township 6 N Range 45 E
 Section 31, 1/4 of 1/4 of 1/4, Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet. See additional sheet -
Sumule C
 AUG - 3 1994
 Department of Water Resources
 Eastern District Office

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: 22-00141 ^{B R-6} _{C MAY}
- [] Name and Address of Former Owner/Claimant(s)(Seller): R-G Ranch - Robert Ranch, Jan Gibbons
Aud Ann Ranch
- [] New Owner/Claimant (Purchaser): Jack May and Carol May
- [] New Mailing Address: Box 1069
Jackson
WY 83001
- [] New Telephone Number: () - -
- [] Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
4/10 CFS or Four tenths CFS

- [] Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Jack May Date 7-26-94
Carol May Date 7-26-94
- [] Signature of Former Owner/Claimant(s): Jan Gibbons Date 7/25/94
Robert R. Ranch Date 7/26/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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NOV 06 1994

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner



SCHEDULE C

The land referred to in this policy is situated in the State of Idaho and is described as follows: County of Teton

Commencing at the Southeast corner of Section 31, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho;
Said point being the true point of beginning:
Thence N 0 degrees 07'37" W, a distance of 1335.04 feet;
Thence S 89 degrees 28'38" W, a distance of 664.31 feet;
Thence S 1 degrees 03'06" E, a distance of 1331.07 feet;
Thence N 89 degrees 50'01" E, a distance of 642.82 feet to the point of beginning.

Subject to a 60 foot radius cul-de-sac road and utility easement the radius point of which is located 60 feet east of the Northwest corner of said described tract.

MICROFILMED

NOV 06 1966

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: A22-00141C
Date Received: 10/ 7/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CAROL MAY
Address: BOX 1069
JACKSON WY 83001

AND

Name: JACK MAY
Address: BOX 1069
JACKSON WY 83001

2. Date of Priority: JUN 1, 1898

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES FOR FLOOD/SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		

7. Total Quantity Appropriated is:

0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 40.0 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	31	SE	SE		IRR	20.0

MICROFILMED
NOV 06 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

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:
22-07008

14. Remarks:

THIS RIGHT PAID FOR UNDER RECEIPT #E002994.
CHANGE IN OWNERSHIP 8-5-94 GJT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GEORGE H. PEHRSON

Decree Plaintiff

HENRY EAGLE, W.M.

vs

Decree Defendant

MICROFILMED
NOV 06 1990

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
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Receipt No: X777777
Received By: _____

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YOUR FILES

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ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

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JACKSON WY

83001

AND

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Address: BOX 1069
JACKSON WY

83001

2. Date of Priority: JUN 1, 1898

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

4. Point of Diversion:

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

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	31	SE	SE		IRR	20.0

A2200141C



MICROFILMED

NOV 06 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

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:
22-07008

14. Remarks:

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CHANGE IN OWNERSHIP 8-5-94 GJT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GEORGE H. PEHRSON

Decree Plaintiff

HENRY EAGLE, W.M.

vs Decree Defendant

MICROFILMED

NOV 06 1994