

11/30/2006

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

RIGHT NUMBER: 22-224

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

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.000 CFS

PRIORITY DATE: 06/15/1898

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	3.000 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	0.60	T07N R44E S36 NESW	0.30
T07N R44E S36 SESW	0.30	T07N R44E S36 NESE	2.80
T07N R44E S36 NWSE	24.00	T07N R44E S36 SWSE	38.00
T07N R44E S36 SESE	35.00		

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 150.0 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.

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

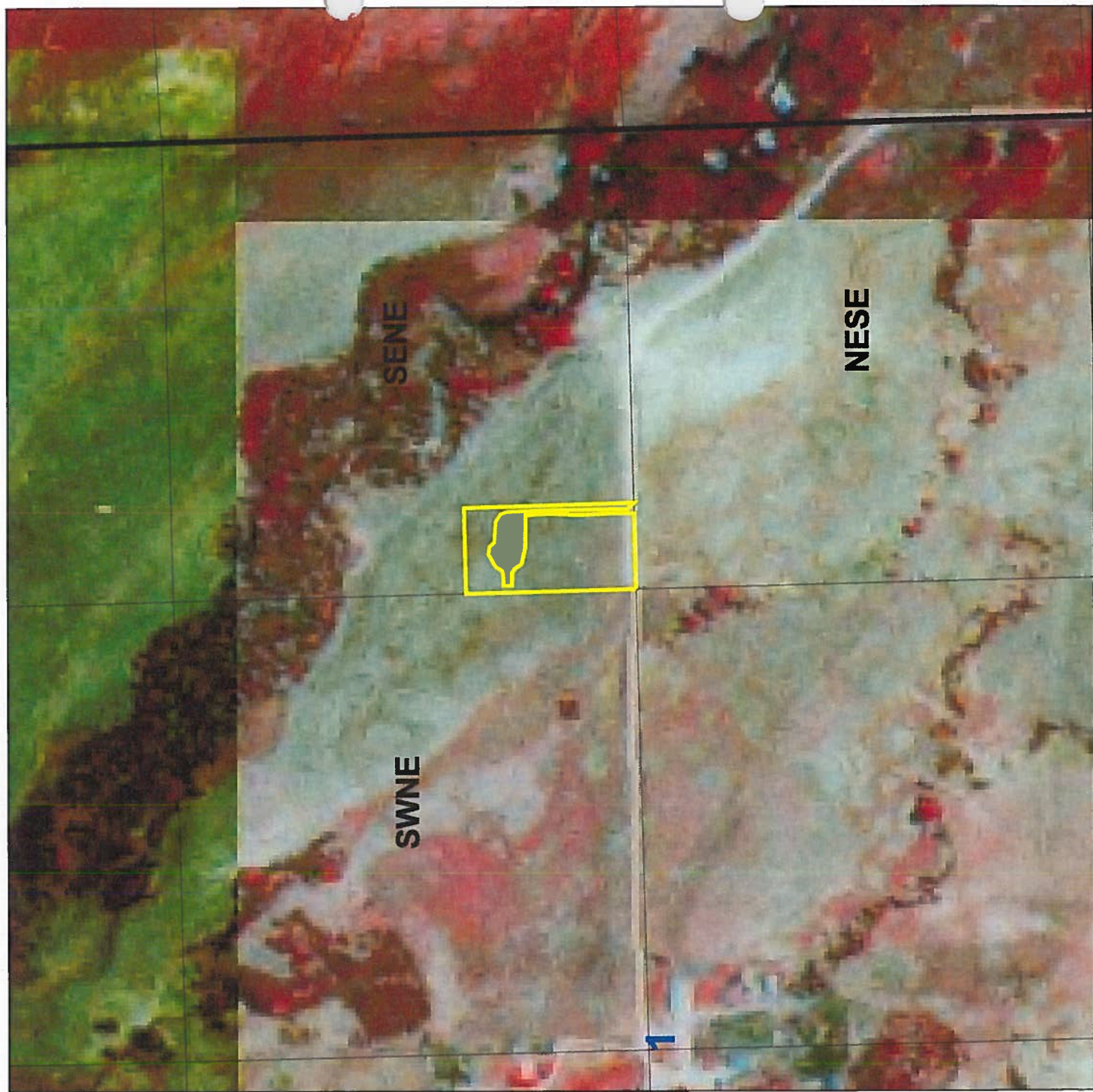
PLS Sections

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

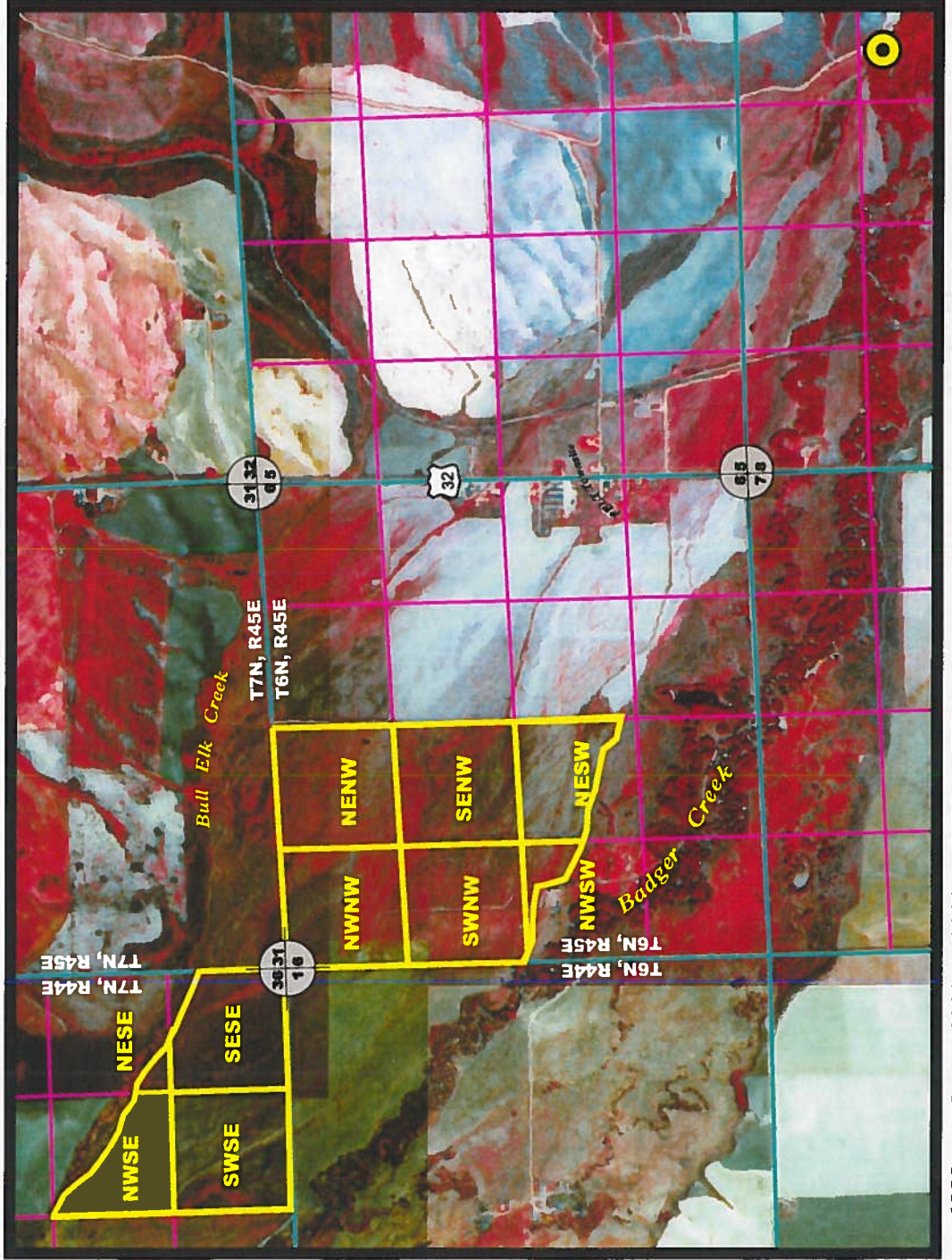




State of Idaho

Department of Water Resources

Eastern Region



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) C. A.

LEGEND



Point of Diversion



SESE

Place of Use



Section



Quarter-Quarter



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

NOTICE OF ERROR
REPLY

08/07/2005
RECEIVED

NOV 02 2006

Department of Water Resources
Eastern Region

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

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: 22-224

TERRENCE BAGLEY

PO BOX 122

423 YALE AVE

REXBURG ID 83440

Telephone Number: (208)356-7926

COMPLETED

KMT 11/04

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,

KMT
11/04



HEADGAGE FOR BADGER CR CANAL
T6N R45E Sec. 3 NESENE
GPS TAG # A0013824

SCANNED
MAR 11 2005

PROFILE

8/10/04
ABR

02/01/05

This shape is 318.0 ac that overlaps with

claim #'s: 22-59
22-167

Note: this shape includes two Township/Ranges: -06N 45E
therefore it is saved as two shapes -07N 44E

2200224
2200224X

NT

PROFILED

SCANNED

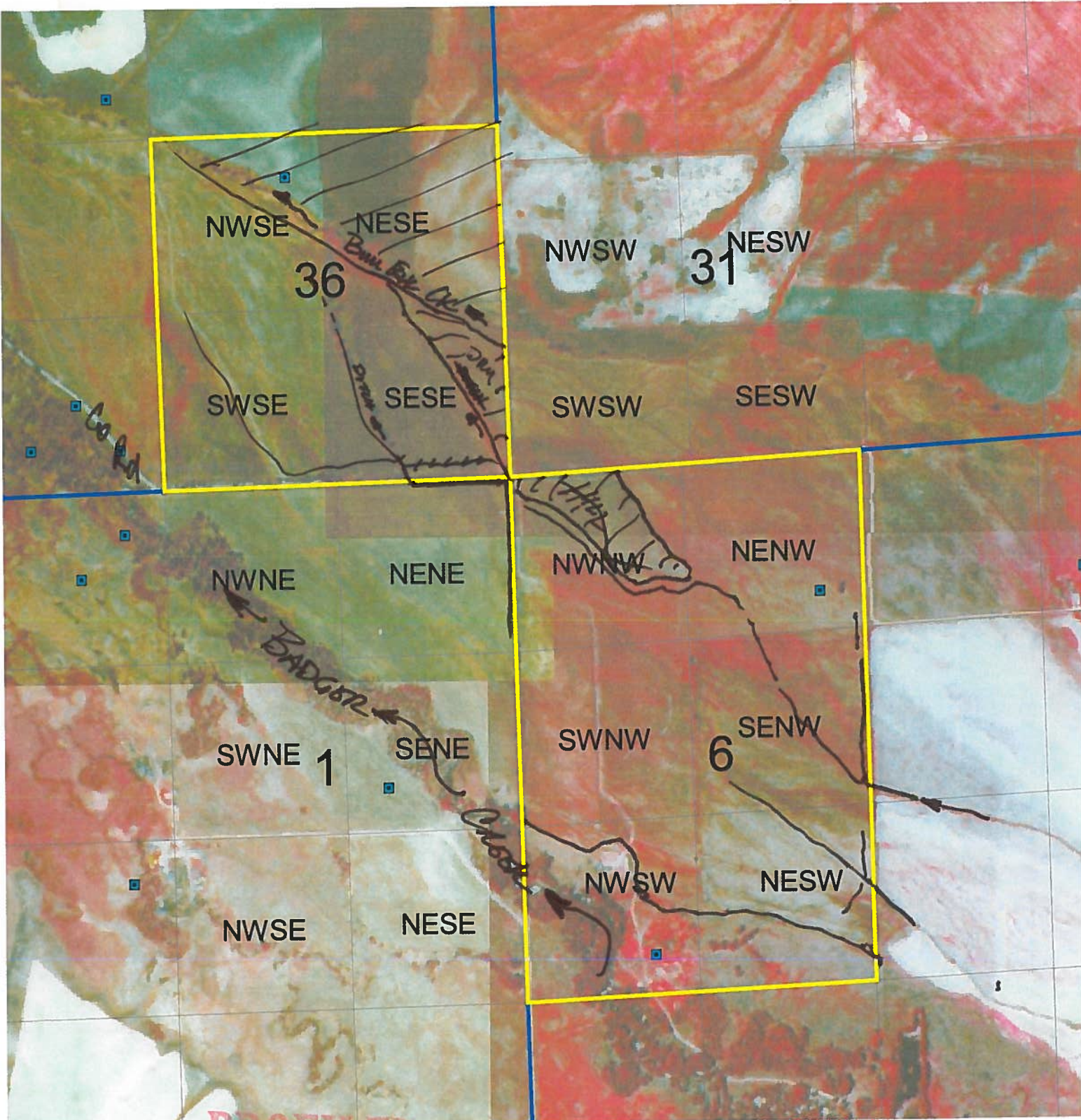
MAR 11 2005

169	Wilson, William; June 1, 1898; Trail Creek	160
169	Larsen, A. C.; June 1, 1898; Darby Creek	40
169	Leigh Creek Canal Co.; June 1, 1898; South Leigh Creek	400
169	Jones, Edward L.; June 1, 1898; Canyon Creek	140
169	Johnson, Joseph A.; June 1, 1898; Trail Creek	135
170	Hill, Hyrum S.; June 2, 1898; North Leigh Creek	100
170	Hill, D. B.; June 2, 1898; Wyoming & Darby Bench Canal Co.	160
170	Hill, Joseph Y.; June 2, 1898; North Leigh Creek	160
171	Dakin, G. A.; June 15, 1898; Badger Creek	150
172	Hendrickson, Cornelius; June 30, 1898; Badger Creek	130
173	Tarbet, Albert; July 7, 1898; Darby Creek	160
173	Tarbet, Willard; July 7, 1898; Darby Creek	160
174	Kirsley, Edwin N.; July 15, 1898; Pine Creek	160
175	Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	60
180	Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	120
182	Hendrickson, G. W.; May 15, 1899; South Leigh Creek	95
183	Nordval, C.; May 26, 1899; Darby Creek	100
184	Pherson, Nells; June 1, 1899; South Leigh Creek	110
184	Borrowman, John; June 1, 1899; Wood Creek and Springs	30
184	Parker, B. F.; June 1, 1899; Fox Creek	20
184	Pendleton, Abraham; June 1, 1899; North Leigh Creek	75
184	Simmons, John; June 1, 1899; North Leigh Creek	80
184	Soulecy, C. V.; June 1, 1899; Darby Creek	60
184	Smith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	80
184	Sheser, William; June 1, 1899; Badger Creek	10
184	Stewart, Thompson; June 1, 1899; Badger Creek	50
184	Williams, Charles; June 1, 1899; South Leigh Creek	100
184	Hochstrasser, N. W.; June 1, 1899; Badger Creek	110
184	Price, J. W.; June 1, 1899; Teton Creek	80
184	Rouche, Jacob; June 1, 1899; North Leigh Creek	35
184	Priestly, W. W.; June 1, 1899; Badger Creek	60
184	Rouche, Jacob; June 1, 1899; North Leigh Creek	160
184	Hendrickson, Milton; June 1, 1899; Badger Creek	100
184	Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	75
184	Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	70
184	Bernston, Richard; June 1, 1899; Badger Creek	160
184	Anderson, Charles; June 1, 1899; Teton Creek	40
184	Fairbanks, D. M.; June 1, 1899; Teton Creek	160
185	Hendrickson, William; June 15, 1899; Badger Creek	120
187	Latham, P. D.; July 15, 1899; Swamp	140
191	Randolph, Frantz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	160
192	Eynon, Rufus; Apr. 1, 1900; Trail Creek	80
195	Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	160
199	Allen, George W.; May 26, 1900; Mahogany Creek	220
199	Carrington, Enock; May 26, 1900; Mahogany Creek	160
200	Bush, George W.; June 1, 1900; Fox Creek	120
200	Hegsted, Victor; June 1, 1900; Horse Shoe Creek	160
200	Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

200	Herendeon, W. K.; June 1, 1900; Darby Creek	80
200	Henrie, Joseph O.; June 1, 1900; North Leigh Creek	40
200	Henrie, John; June 1, 1900; North Leigh Creek	10
200	Ricks, Wallace; June 1, 1900; North Leigh Creek	110
200	Rannell, George; June 1, 1900; Badger Creek	40
200	Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200	Honer, Benjamin P.; June 1, 1900; Mahogany Creek	200
200	Hochstrasser, R. H.; June 1, 1900; Badger Creek	20
200	Sautter, John G.; June 1, 1900; North Leigh Creek	50
200	Simmons, John; June 1, 1900; North Leigh Creek	40
200	Morris, William L.; June 1, 1900; Garner Creek and Trail Creek	110
201	Leighs Creek Canal Co.; June 16, 1900; South Leigh Creek	2,900
203	Hendrickson, Adolphus; July 5, 1900; Badger Creek	100
204	Latham, P. D.; July 15, 1900; Swamp	120
206	Bagshaw, Ellen; Aug. 15, 1900; Pine Creek	30
208	Hill, John W.; Oct. 1, 1900; Pack Saddle Creek	160
211	Island Ward Canal Co., Ltd.; Jan. 23, 1901; North Fork of Teton River	5,000
212	Hague, William A.; Mar. 25, 1901; Teton River	100
213	Bevan, Maria; Apr. 6, 1901; Swamp Creek	80
215	Hendrickson, G. W.; June 1, 1901; North Leigh Creek	60
215	Priestly, W. W.; June 1, 1901; Little Badger Creek	160
215	Mickelson, Peter; June 1, 1901; South Leigh Creek	140
215	Smith, D. G. S.; June 1, 1901; Spring	20
215	Waterman, L. C.; June 1, 1901; Little Dry Creek	40
215	Simmons, John; June 1, 1901; North Leigh Creek	60
215	Johnson, James W.; June 1, 1901; Moody Creek	40
To be reduced to 20 inches after June 20th of each year		40
215	Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215	Hill, Joseph S.; June 1, 1901; Pack Saddle Creek	20
218	Hatch, Lamoline; Sept. 1, 1901; Spring Creek	160
218	Phillips, L. A.; Sept. 1, 1901; Spring Creek	40
228	Shirts, Wallace; May 15, 1902; Trail Creek	20
229	Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	40
229	Haden Canal Co.; June 1, 1902; Badger Creek	2,700
229	Rammell, George; June 1, 1902; Badger Creek	930
229	Rammell, C. H.; June 1, 1902; Badger Creek	40
229	Phillips, Thomas A.; June 1, 1902; Badger Creek	30
229	Wood, Frank; June 1, 1902; Badger Creek	160
229	Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	120
229	Morris, Samuel; June 1, 1902; Trail Creek	60
229	Larsen, A. C.; June 1, 1902; Darby Creek	30
229	Kirsley, Edwin N.; June 1, 1902; Spring Creek	80
229	Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229	Sheser, William; June 1, 1902; seepage water in springs on place	60
229	Gilbert, Albert; June 1, 1902; Horse Shoe Creek	150
231	Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	40
241	McNally, Gilbert; May 1, 1903; Trail Creek	120
242	Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	40
For reservoir purposes between the 15th day of March until the 15th day of June of each year		2,000

22-224

8/10/04 *man*



PROFILED

SCANNED

MAR 11 2005

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: A22-00224
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: JUN 15, 1898

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	3.000		

7. Total Quantity Appropriated is:
3.000 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

A22-00224

Page

1
SCANNED

Date: 10/04/88

PROFILED

MAR 11 2005

MICROFILMED
NOV 04 1992

A2200224



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					
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					
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:
22-00167, 22-00059

14. Remarks:

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

<u>REXBURG IRR. CO. ET AL</u>		<u>TETON IRR. CANAL CO.</u>
Decree Plaintiff	vs	Decree Defendant

PROFILED

SCANNED
MAR 11 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: SEE A22-00059 FOR PHOTO

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): *Jenene 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

PROFILE

SCANNED
MAR 11 2005

MICROFILMED
NOV 04 1994