

07/11/2006

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

RIGHT NUMBER: 22-337

NAME AND ADDRESS: DONETTA ANDERSON
1666 E COUNTRY LN
ERDA UT 84074

FLOYD J ANDERSON
1666 E COUNTRY LN
TOOLE UT 84074

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.200 CFS

The rights listed below are limited to a total combined diversion rate of 2.67 cfs. Combined Right Nos.: 22-337, 22-620B, 22-2199.

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION:

T06N R45E S34 SESENE 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	1.200 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S34	SWNW	1.20	T06N R45E S34	SESW	3.30
T06N R45E S34	NESW	39.00	T06N R45E S34	NWSW	30.00

73.5 ACRES TOTAL

73.5

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-337, 22-620B, and 22-2199.

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

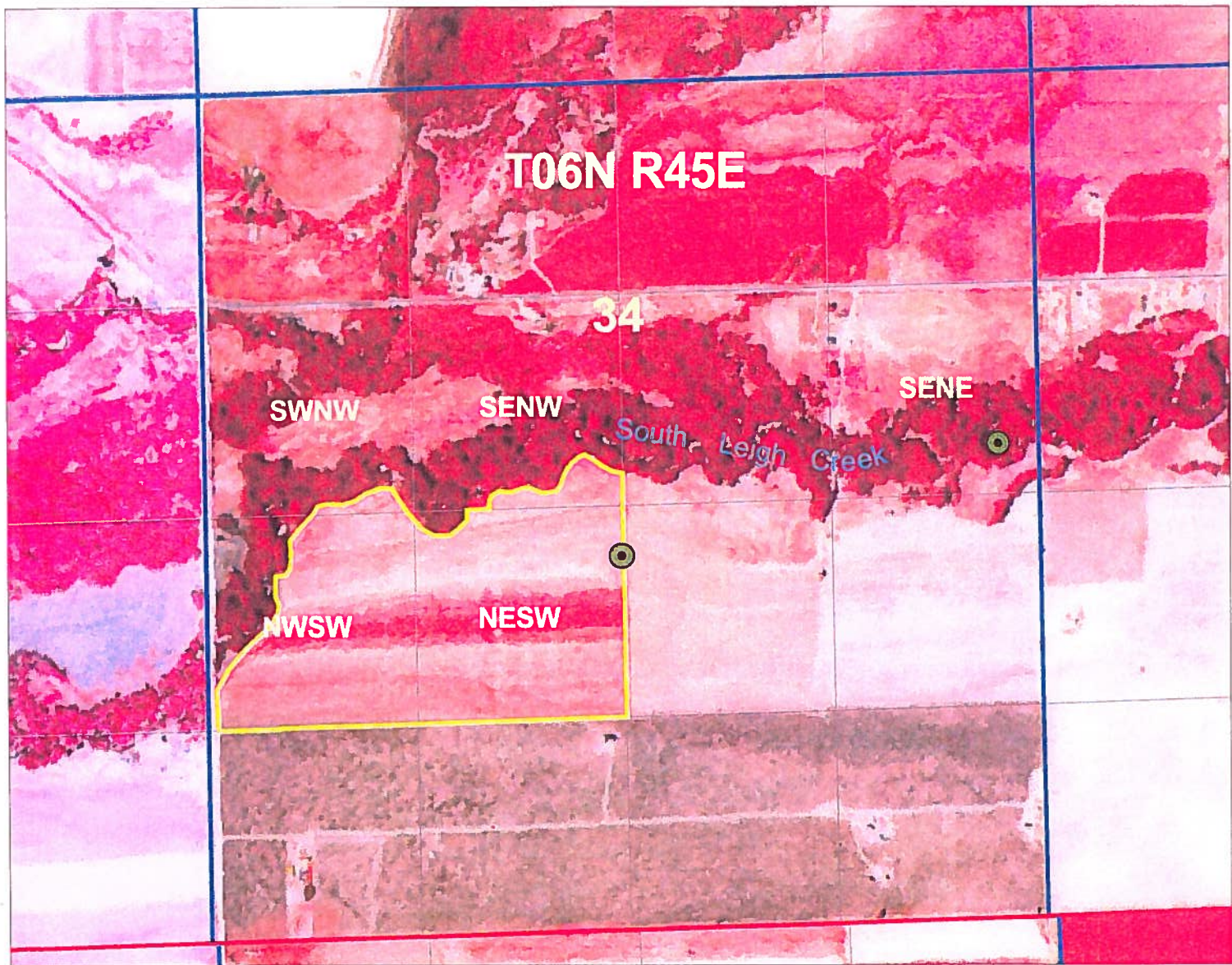
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through point of diversion described above: 22-620B and 22-337.



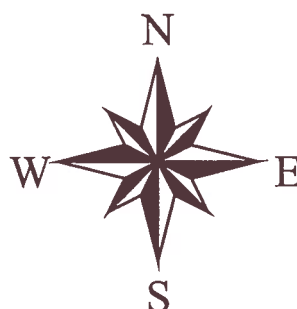
Department of Water Resources Eastern Region

Claim No.: 22-337, 22-620B,
and 22-2199



0 500 1000 1500 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

South
Leigh Creek



6/14/05

DD Claim A2212313 - Fullmer #2 Ditch headgate,
(note headgate is filled with trash) Needs some
upgrading

labeled on GPS points
as 303c

A0613873



6/14/05
DV

Claim A2212313 Fullmer #2 Ditch headgate
Source is South Leigh Creek.



6/14/05 - Photo shows field on south side of
DU South Leigh Creek that can be irrigated,
with groundwater claim A2202199 or claim
A2212313

west
↑



Abi

6/14/05 Photo shows F. Jay & Lonetta Anderson property
DO that is irrigated with groundwater or
surface water claim

Claim no. A2200337

Claimant Contact Log

<u>Date</u>	<u>Remarks</u>	<u>Agent initials</u>
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	Refer to Claim A22/23/3 for POD & PDU info and GPS info.	
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Contacts Data Entry Form

A2200339

Owner Type	Full Name	Address	City	State	Zip	Phone
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Current Owner Floyd J Anderson

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

ORDERED. Reburg Irrigation vs. Teton Irrigation 16 DEC 1910ORDERED. To D.H. Hopkins 1 June 1898Claim: OTHER WATER RIGHTS USED. 22-02199.JB. P.O.D. / P.O.D. Conveyance / System.

Reviewer: _____

Date: _____

~~21-0064~~

Hope, E. S. 160 inches. Nov. 5, 1901. Sam Creek and Sage Creek.

~~0336~~ 22 0336 Hopkins, D. H. 60 inches. June 1, 1897. South Leigh Creek.~~0337~~ 22 0337 Hopkins, D. H. 60 inches. June 1, 1898. South Leigh Creek.~~0338~~ 22 0338 Hopkins, Ezekiel 80 inches. June 1, 1898. North Leigh Creek.Horn, North Salem Articul-
tural & Milling Canal
Company.

Howard, John S.

EXCERPT FROM

Enterprise Canal
Company.Howard, John S.
and ThomasReyburg Irrigation
VS Teton IrrigationThe Farmer's Friend
Canal Company.~~0339~~ 35 0015 25-0262

Howard, Joseph S. 240 inches. June 1, 1904. Spring Creek near Menan.

Howard, Thomas

Enterprise Canal
Company.~~0339~~ 22 0339Hubbard, Frank
and wife 150 inches. June 1, 1889. North Leigh Creek.~~0340~~ 22 0340 Hubbard, Susan 150 inches. June 1, 1891. North Leigh Creek and
Middle Leigh Creek.~~0341~~ 22 0341 Hubbard, Susan 60 inches. June 1, 1900. North Leigh Creek and
Middle Leigh Creek.~~0342~~ 22 0342 Hubbard, Susan 60 inches. June 1, 1902. North Leigh Creek and
Middle Leigh Creek.Huffaker, L. A.
and Arthur
WagstaffThe Farmer's Friend
Canal Company.

Huffaker, W. D.

Enterprise Canal Com-
pany, and the Farmers'
Friend Canal Company.

Huffaker, W. R.

The Farmers' Friend
Canal Company.~~0343~~ 22 0343

Humbull, Olive A. 150 inches. June 1, 1896. Trail Creek.

~~0344~~ 21 0065Humphrey, Richard 240 inches. June 10, 1887. Fall River.
(Sold to O. L. Wilson.)

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

ANDERSON

CLAIM

JT. NO.

A22-00337

DATE RECEIVED

10/5/88

CK #

108

AMOUNT \$

255⁰⁰

YES

NO

1. Is the name and address complete with zip code?

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Claim checked by:

Comments:

CONSUMPTIVE USE SHOULD BE 160 AFD.

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: A22-00337
Date Received: 10/05/1988
Receipt No: E002922
Received By: Qx

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOYD J ANDERSON 801-968-7299
Address: 5672 W 4100 S
SALT LAKE CITY, UT 84120
AND
Name: DONETTA ANDEERRSON
Address: SALT LAKE CITY, ID 84120

2. Date of Priority: JUN 01, 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 of	Lot	County
06N	45E	34	NW	SE			TETON

5. Description of diverting works:
HEADGATE AND LATERAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
THIS WATER WATERS PASTURE LAND FROM WHICH CATTLE ARE WATERED

A22-00337

Page 1

Date: 02/03/89

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A2200337

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	34	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
Section Acres							80.0
Total Acres							80.0

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:
329375/22-2199/03/30/61/.62CFS; DECREE 1/22/16/1.6CFS

14. Remarks:
CONSUMPTIVE USE SHOULD BE 160 AFA

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

Decree Plaintiff

vs

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A22-00337
CIVIL CASE NUMBER: 39356
Ident. Number *A22-00337*
Date Received *10-5-88*
Receipt Number *E002922*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Floyd J. and Donetta Anderson Phone (801) 968-7299
Mailing Address 5672 W. 4100 S., Salt Lake City, Utah Zip 84120
2. Date of Priority (Only one (1) per claim) June 1, 1898
3. Source of water supply (a) South Leigh Creek
which is tributary to (b) Teton River
4. a. Location of existing point of diversion is: Township 6N Range 45E Section 34,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Teton
Additional points of diversion if any: None
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate and lateral ditch.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 200 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) This water waters pasture land from which cattle are watered.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	45E	34									40	40							80

Total number of acres irrigated 80

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

License #29375/22-2199 dtd March 30, 1961, for 0.62 C.F.S. and Decree or None ()
dtd 1-22-16 for 1.6 c.f.s.

14. Remarks:

NOV 04 1992

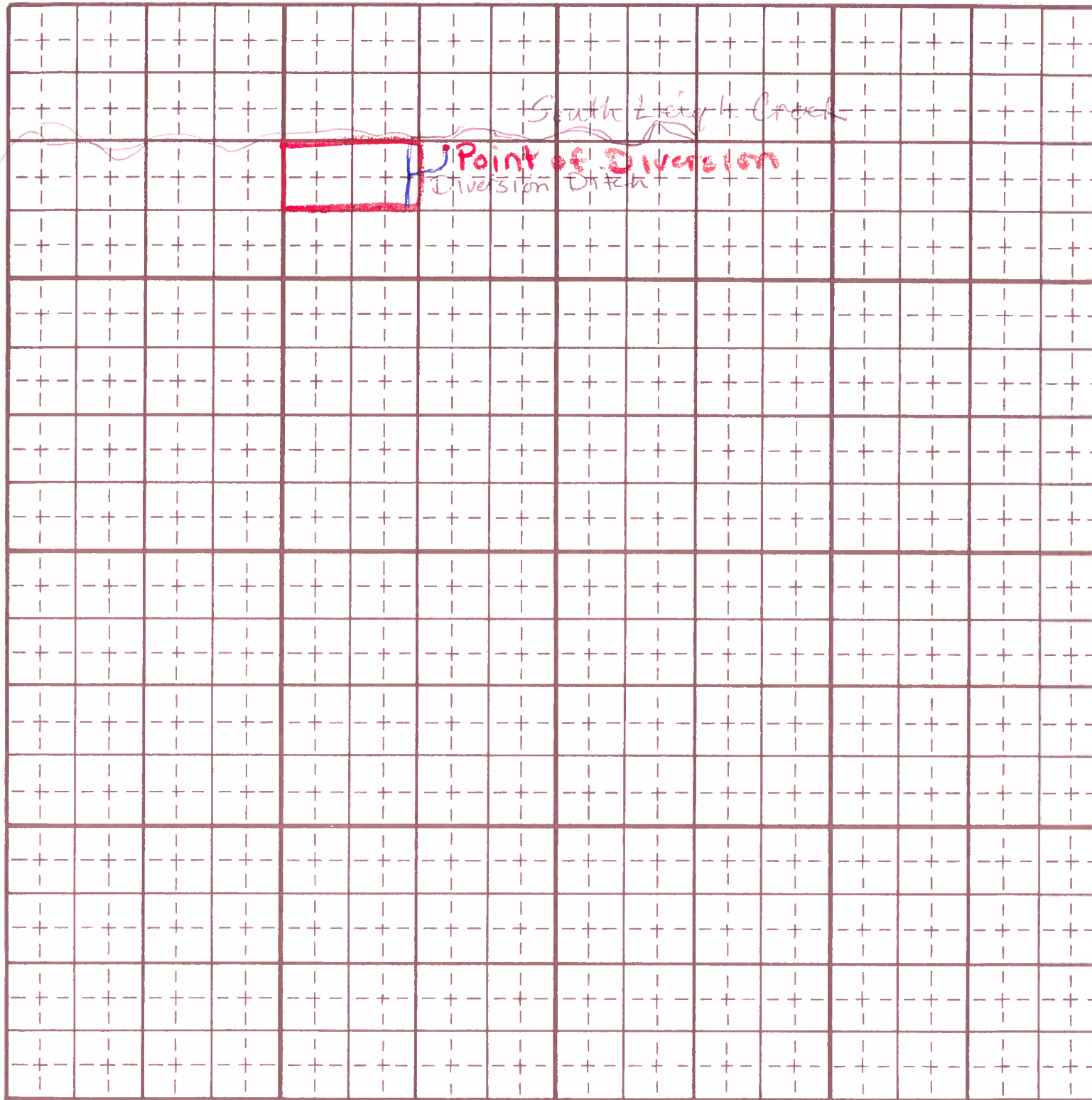
Last Name Anderson Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

N/E1/4SW1/4 of Section 34, Twp. 6N, Rge. 45 E.B.M.



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NOV 04 1992

Last Name Anderson Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____
Court 6th now 7th Judicial Dist. Case Number _____ Decree Date 12-16-1910
Plaintiff vs Defendant Rexburg Irrigation Co., et al. v. Teton Irrigation Co., et al.

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 X do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) X Floyd J. Anderson Date 9/26/88

Donna Anderson Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 26th day of September 19 88

SEAL

Notary Public Debra A. Keller

Residing at Rexburg, ID 83440

My Commission Expires 11-15-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Ray W. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 9/26/88

MICROFILMED
NOV 04 1992

Last Name Anderson Ident. Number _____

Copies White-State, Yellow-Claimant