

06/20/2006

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

RIGHT NUMBER: 22-338
NAME AND ADDRESS: JOHN E LOFTHOUSE
667 E 900 S
SALT LAKE CITY UT 84105

JAMES D LOFTHOUSE
PO BOX 662
GRACE ID 83241

MARY ANN ANDERSEN
75 W 1120 N
AMERICAN FORK UT 84003

MARY S LOFTHOUSE
PO BOX 662
GRACE ID 83241

DAVID DEAN LOFTHOUSE
26719 RITTER LN #5E
KINGSTON WA 98346

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
QUANTITY: 1.600 CFS
PRIORITY DATE: 06/01/1898
POINT OF DIVERSION:

T06N R46E S29 NWNE Lot 1 Within TETON County
The point of diversion for this water right is in Wyoming, T45N, R118W Sec.
32 SENW (L2), 6PM.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R46E S30	NENW	40.00	T06N R46E S30 Lot 1 NWNW	36.00
T06N R46E S30 Lot 2 SWNW		13.00	T06N R46E S30	SENW 21.00

110 ACRES TOTAL

110 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-129G, 22-338.

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.



SCANNED
MAY 11 2005

PROFILE

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-129G

22-338

Point(s) of Diversion:

T45N R118W

Sec. 32 NESWNW (Wyoming)

T06N R45E

Sec. 29 NENENE (Idaho)

Place of Use (parts of):

T06N R46E

Sec. 30 NENW, NWNW,

SWNW, SENW

Delivered through North Leigh Canal.

LEGEND

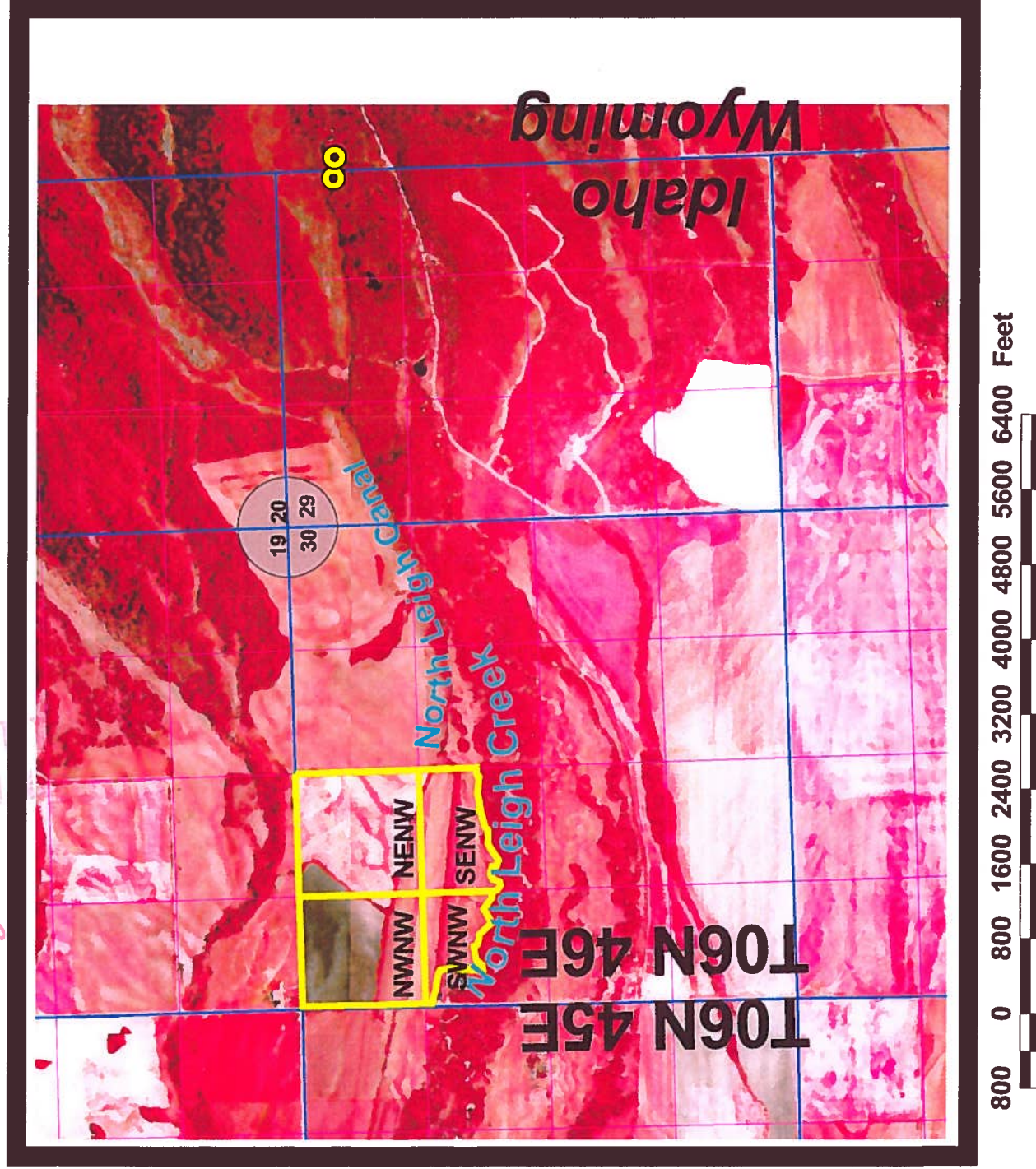
● Point of Diversion

□ Place of Use

□ Section

□ Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: April 2005



E. Clerk

04/22/2005

NOTICE OF ERROR
REPLY

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: 22-338

JOHN E LOFTHOUSE
667 E 900 S
SALT LAKE CITY UT 84105
Telephone Number: (801) 521-8666

JAMES D LOFTHOUSE
PO BOX 662
GRACE ID 83241
Telephone Number: (208) 425-3796

MARY ANN ANDERSEN
75 W 1120 N
AMERICAN FORK UT 84003
Telephone Number: (801) 756-6472

MARY S LOFTHOUSE
PO BOX 662
GRACE ID 83241
Telephone Number: (208) 425-3796

DAVID DEAN LOFTHOUSE
26719 RITTER LN #5E
KINGSTON WA 98346

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: 6-21-05 SIGNATURE: *James D Lofthouse*
Please print your name: James D Lofthouse

IDWR Regional Office,

RECEIVED
JUL 12 2005
Department of Water Resources
Eastern Region

PROFILE

SCANNED
JUL 13 2005

*KUT
7/12*

Eclerk

22-338

GPS TAG



Bell-McCracken
Ditch - diverts
out of South
Leigh Creek

GPS TAG # A0013845

POD:

T6N R45E SEC. 33 NESES

7/15/04 DO



GPS TAG

Bell-McCracken
Ditch - diverts
out of South
Leigh Creek

GPS TAG # A0Φ13845

POD:

T6N R45E SEC. 33 NESESW

7/15/04 DO



GPS TAG

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Ditch - diverts
out of South
Leigh Creek

GPS TAG # A0Φ13845

POD:

T6N R45E SEC. 33 NESES

7/15/04 DO



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7/15/04 DO



GPS TAG

Bell-McCracken
Ditch - diverts
out of South
Leigh Creek

GPS TAG # A0Φ13845

POD:

T6N R45E SEC. 33 NESES

7/15/04 DO

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

RECEIVED Ident. Number: A22-00338
JUL 20 2004 Date Received: 9/26/1988
Receipt No: 4001421
Received By: TEM

Department of Water Resources
Eastern Region

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID LOFTHOUSE
Address: RT 1, BOX 1740
TETONIA, ID

83452

208-456-2812

OR
Name: MARY S. LOFTHOUSE
Address: RT 1, BOX 1740
TETONIA, ID

208-456-2812

OR
Name: DAVID DEAN LOFTHOUSE
Address: 435 S 800 E
BOUNTIFUL, UT

26719 RITTERLANE #5E
KIMSTON WA.
98346

OR
Name: MARY ANN ANDERSEN
Address: 75 W 1120 N
AMERICAN FORK, UT

84003

801-756-6472

OR
Name: JOHN E. LOFTHOUSE
Address: 214 W NORTH TEMPLE
SALT LAKE CITY, UT

667E 900 SO.
84105 84103

801-534-0647

801-521-8666

OR
Name: JAMES D. LOFTHOUSE
Address: STAR RT. BOX 322A
GRACE, ID

PO Box 662
83241

208-427-5216

208-425-3796

2. Date of Priority: JUN 01, 1898

3. Source: NORTH 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	46E	29	NE	NE	NE		TETON

5. Description of diverting works:
HEADGATE TO DITCHES AT P/U.

A22-00338

Page 1

Date: 09/26/88

SCANNED

JUL 27 2004

PROPRIETARY

MICROFILMED

NOV 04 1992

A2200338

22-338
22-4065
22-1296

April 20, 2004

State of Idaho
Dept of Water Resources
Eastern District Office
900 N. Skyline Dr. Suite A
Idaho Falls, ID 83402-1718

RECEIVED

APR 28 2004

Department of Water Resources
Eastern Region

To whom it may concern:

This is a request for a change of address. I would like you to change the mailing address you have on file for me.

My old mailing address was:
75 West 1120 North
American Fork, UT 84003-1257

My new address is:
P.O. 662
Grace, ID 83241

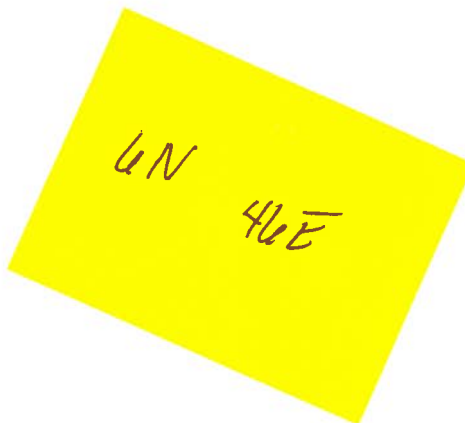
This is my Son, James Lofthouse's, address. He is looking after me now. He can be reach at (208) 425-3796.

Please send all my correspondence to the new address effective 4/1/2004.

Thank you,



Mary Lofthouse



James address is correct on Claimant
contact log,

Please mail form to him and
he will correct others, OO

6/30/04 Mailed $\frac{1}{A}$ to James for address correction or
All the Others

Claim no. A2200338

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

6/16/04	Get addresses from John	SD
---------	-------------------------	----

John is best contact

801-485-9786 # incorrect

6/24/04 801-

James 208 425 3796 correct #

* Address: James D. Lofthouse
PO BOX 662

Grace Idaho 83241

SD

Please send change of address form to James and he will make appropriate changes and return.

6/30/04 MAILED C/A to James @ ADDRESS ABOVE.

SD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

22-338

22-4025

22-1296

JOHN ELOFTHOUSE
214 W NORTH TEMPLE
SALT LAKE CITY UT 84103



U.S. POSTAGE

1220

PB3523907

8906\$00.370 MAR 02 2004

1070 MAILED FROM ZIP CODE 83402

RECEIVED

MAR 15 2004

De
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED



JAMES D LOFTHOUSE
PO BOX 222 662
GRADE ID 83241

- ☒ Not Deliverable As Addressed
- ☐ Undelivered To Forward
 - ☐ Invalid Address
 - ☐ Moved, Left No Address
 - ☐ Unclaimed
 - ☐ Attempted, Not Known
 - ☐ No Such Street
 - ☐ Verant
 - ☐ No Mail Recipients
 - ☐ Box Closed-No Order
 - ☐ Returned For Better Address
 - ☐ Postage Due



U.S. POSTAGE

1010

PB3523907

8946\$00.370 MAR 02 2004

0727 MAILED FROM ZIP CODE 83402

22-338

22-4025

22-1296

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner DAVID 10FT House

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:

DACREED Rexburg Irrigation VS Teton Irrigation 16 Dec 91
DACREED To Ezekiel Hopkins priority 1-June 1898
80 (1.6 CFS)
Other Right used. A22-11875

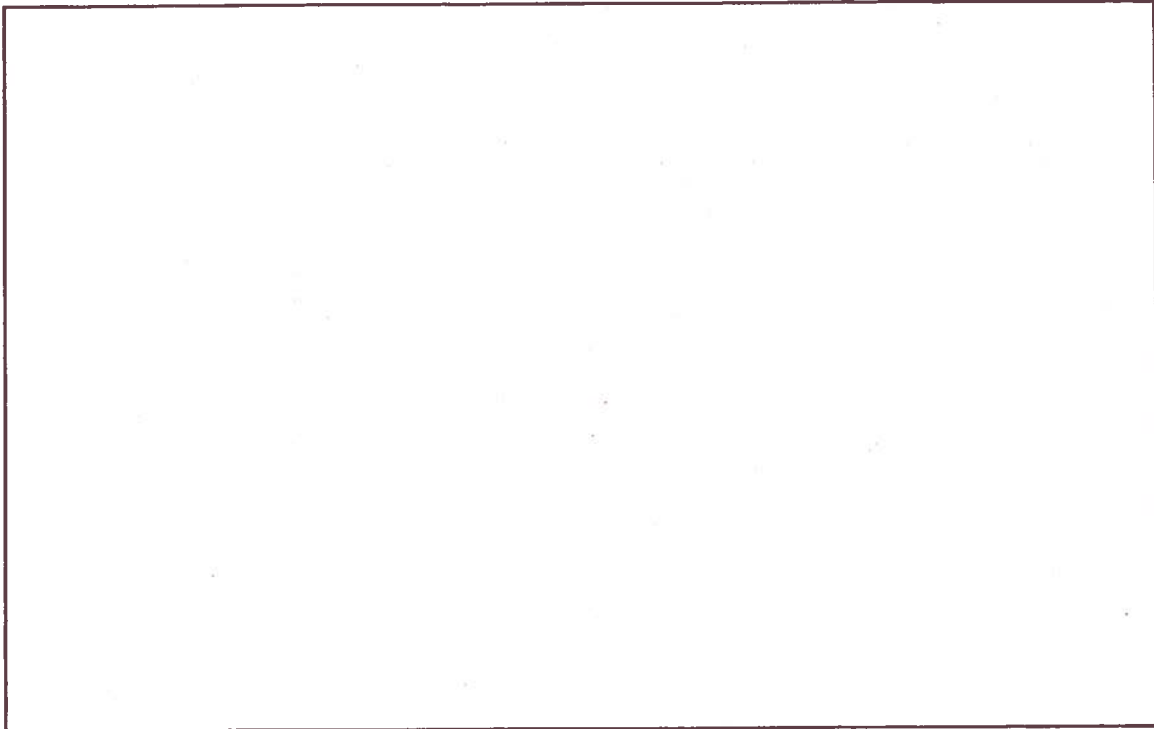
6/16/04 FC. AL RUMBERG & DGS (BRIEN. VISITED POO/POU.
THIS DIVERSION IS ACTUALLY IN WYOMING ABOUT 50'-60'.
JUST BELOW A BRIDGE OVER NORTH LEIGH CK. (Close to state line)

FC. poo/pou Conveyance/system

Reviewer: _____

Date: _____

Water Right No(s). _____



GPS DATA:

Tag # ADP14298 Location: Headframe of headgate

Well Data:

MOTOR

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

PUMP

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

NOTES:

GPS ID # 13
PO in Wyoming
Refers to A2200189

Field Exam Date: 6/16/04 Agent: DO AR

~~86~~ 11-0064
Hope, E. S.

EXCEPT FROM
Rexburg Irrigation

Sam Creek and Sage
Creek.

~~036~~ 22 0336
Hopkins, D. H.

VS
TETON Irrigation 16050
1910

South Leigh Creek.

~~037~~ 22 0337
Hopkins, D. H.

60 inches. June 1, 1898. South Leigh Creek.

~~037~~ 22 0338
Hopkins, Ezekiel

80 inches. June 1, 1898. North Leigh Creek.

Horn,

North Salem Articul-
tural & Milling Canal
Company.

Howard, John S.

Enterprise Canal
Company.

Howard, John S.
and Thomas

The Farmer's Friend
Canal Company.

~~037~~ 35 0015 25-0262

Howard, Joseph S. 240 inches. June 1, 1904.

Spring Creek near Menan.

Howard, Thomas

Enterprise Canal
Company.

~~037~~ 22 0339

Hubbard, Frank
and wife

150 inches. June 1, 1889. North Leigh Creek.

~~037~~ 22 0340
Hubbard, Susan

150 inches. June 1, 1891. North Leigh Creek and
Middle Leigh Creek.

~~037~~ 22 0341

Hubbard, Susan

60 inches. June 1, 1900. North Leigh Creek and
Middle Leigh Creek.

~~037~~ 22 0342

Hubbard, Susan

60 inches. June 1, 1902. North Leigh Creek and
Middle Leigh Creek.

Huffaker, L. A.
and Arthur
Wagstaff

The 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.

~~037~~ 22 0343

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

~~037~~ 21 0065

Humphrey, Richard 240 inches. June 10, 1887. Fall River.

(Sold to O. L. Wilson.)

~~037~~ 22 0344

Huskinson,

Trans.
#2122

Priority Date Data Entry Form

Claim Number: A2200338

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1 June 1898 Claimed Basis: DACREEDRecommended Priority Date: 1 June 1898 Recommended Basis: Dacreed☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

matches Dacreed

Reviewer: _____

Date: _____

Claim Number: A 2200338

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 6N, R 46E, Sec. 29, NE, NE, County: Teton

Source: North Leigh Creek Tributary: Teton River

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____. County: _____

Source: NORTH LUTAH CREEK Tributary: TOION RIVER

Use Claimed POD and Source as Recommended POD and Source

[illegible]

Other rights from this POD? UPS Tag # A0614298 on LH Wheel Frame

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT DELETED. - ACTUAL POD IS IN WYOMING.
RECOMMENDED POD IS AT STATOLING WHERE NO LEGAL CRIMES
INTO JUDICIAL

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: A0200338☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	46E	30	NE	NW	TETON		40	Irrigation
"	"	"	NW	NW	"		37	"
"	"	"	SW	NW	"		14	"
"	"	"	SE	NW	"		19	"

Total Acres 110

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	46E	30	NW	NW		(1)	36.0	Drainage
			SW	NW		(2)	13.0	
			NE	NW			40.0	
			SE	NW			21.0	

Total Acres 110

Document how the POU was verified:

used with other water right A02-11875 OR 22-001296DITCH ACTUALLY RUNS DOWN THE MIDDLE OF POU ON HIGH GROUND
FOR FLOOD IRRIG.Q: LOT SIZE?

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: 42200388☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Irrigation</u>	<u>4/15</u>	<u>10/15</u>	<u>1.60</u>	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Truck</u>	<u>4/15</u>	<u>10/31</u>		

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD 504 4/15 To 10/31Claims 1.6 cfs on 110 AC =>

Reviewer: _____

Date: _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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: A22-00338
Date Received: 9/26/1988
Receipt No: MOO1421
Received By: PEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	DAVID LOFTHOUSE	208-456-2812
Address:	RT 1, BOX 1740	
	TETONIA, ID	83452
OR		
Name:	MARY S. LOFTHOUSE	208-456-2812
Address:	RT 1, BOX 1740	
	TETONIA, ID	83452
OR		
Name:	DAVID DEAN LOFTHOUSE	
Address:	435 S 800 E	
	BOUNTIFUL, UT	84010
OR		
Name:	MARY ANN ANDERSEN	801-756-6472
Address:	75 W 1120 N	
	AMERICAN FORK, UT	84003
OR		
Name:	JOHN E. LOFTHOUSE	801-534-0677
Address:	214 W NORTH TEMPLE	
	SALT LAKE CITY, UT	84103
OR		
Name:	JAMES D. LOFTHOUSE	208-427-6216
Address:	STAR RT. BOX 322A	
	GRACE, ID	83241

2. Date of Priority: JUN 01, 1898

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	46E	29	NE	NE			TETON

5. Description of diverting works:
HEADGATE TO DITCHES AT P/U.

A22-00338

Page 1

Date: 09/26/88

PROFILED
SCANNED
MAY 04 2005

MICROFILMED
NOV 04 1992

A2200338



6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 220.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	46E	30	NE	NW		IRR	40.0
			NW	NW	1	IRR	37.0
			SW	NW	2	IRR	14.0
			SE	NW		IRR	19.0
						Section Acres	110.0
						Total Acres	110.0

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:
A22-11875

14. Remarks:
P/D LISTED IS THE LOCATION OF THE P/D IN ORIGINAL DECREE. HEAD-GATE FOR CANAL IS ACTUALLY L7 SEC32 T45N R118W.

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

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

A22-00338

Page

2

Date: 09/26/88

PROFILED
SCANNED
MAY 04 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: _____

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): David Lofthouse Date: 9-26-88

Date: _____

State of Idaho)
County of Bonneville) SS.

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

[Signature]
Notary Public

Seal



Residing at Idaho Falls
My Commission Expires 9-12-94

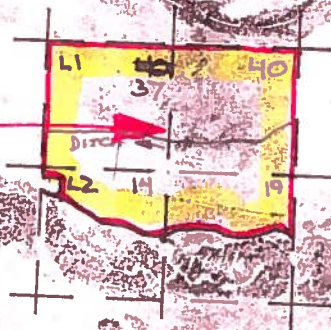
PROFILED

SCANNED
MAY 04 2005

MICROFILMED
NOV 04 1992

A 22-00332

720
3



TGN
R46E

MAY 04 2005

PROFILED

MICROFILMED

NOV 04 1992

A22-00338

T45N
R18W

7D

SEANNED
MAY 24 2005

PROPH

MICROFILMED
NOV 04 1992