

10/16/2006

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

RIGHT NUMBER: 22-366A

NAME AND ADDRESS: RICHARD L DAVIS FAMILY TRUST
C/O PHYLLIS DAVIS BOND
215 E 3RD S ST
REXBURG ID 83440

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.030 CFS

The rights listed below are limited to a total combined diversion rate of 0.62 cfs. Combined Right Nos.: 22-303B, 22-304B, 22-366A, 22-367A, 22-386A, 22-612A, 22-613A, and 22-7273.

PRIORITY DATE: 05/01/1898

POINT OF DIVERSION:

T06N R45E S35 SWSNW 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	0.030 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S34	SENE	1.00	T06N R45E S34	NESE	1.70
T06N R45E S35	SWNW	6.30	T06N R45E S35	NWSW	9.00

18 ACRES TOTAL

Right Nos. 22-366A and 22-367A are limited to the irrigation of a combined total of 5 acres in a single irrigation season.

18

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-303B, 22-304B, 22-366A, 22-367A, 22-386A, 22-612A, 22-613A 22-7273.

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 Fullmer 1.

06/21/2006

**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: 22-366A

RICHARD L DAVIS FAMILY TRUST
C/O PHYLLIS DAVIS BOND
215 E 3RD S ST
REXBURG ID 83440
Telephone Number: (208)356-3233

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: 19/4/06 SIGNATURE: Phyllis Davis Bond
Please print your name: Phyllis Davis Bond

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMD
12/17

Idaho Department of Water Resources

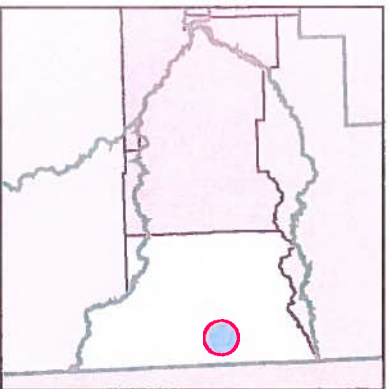


Adjudication Claims:

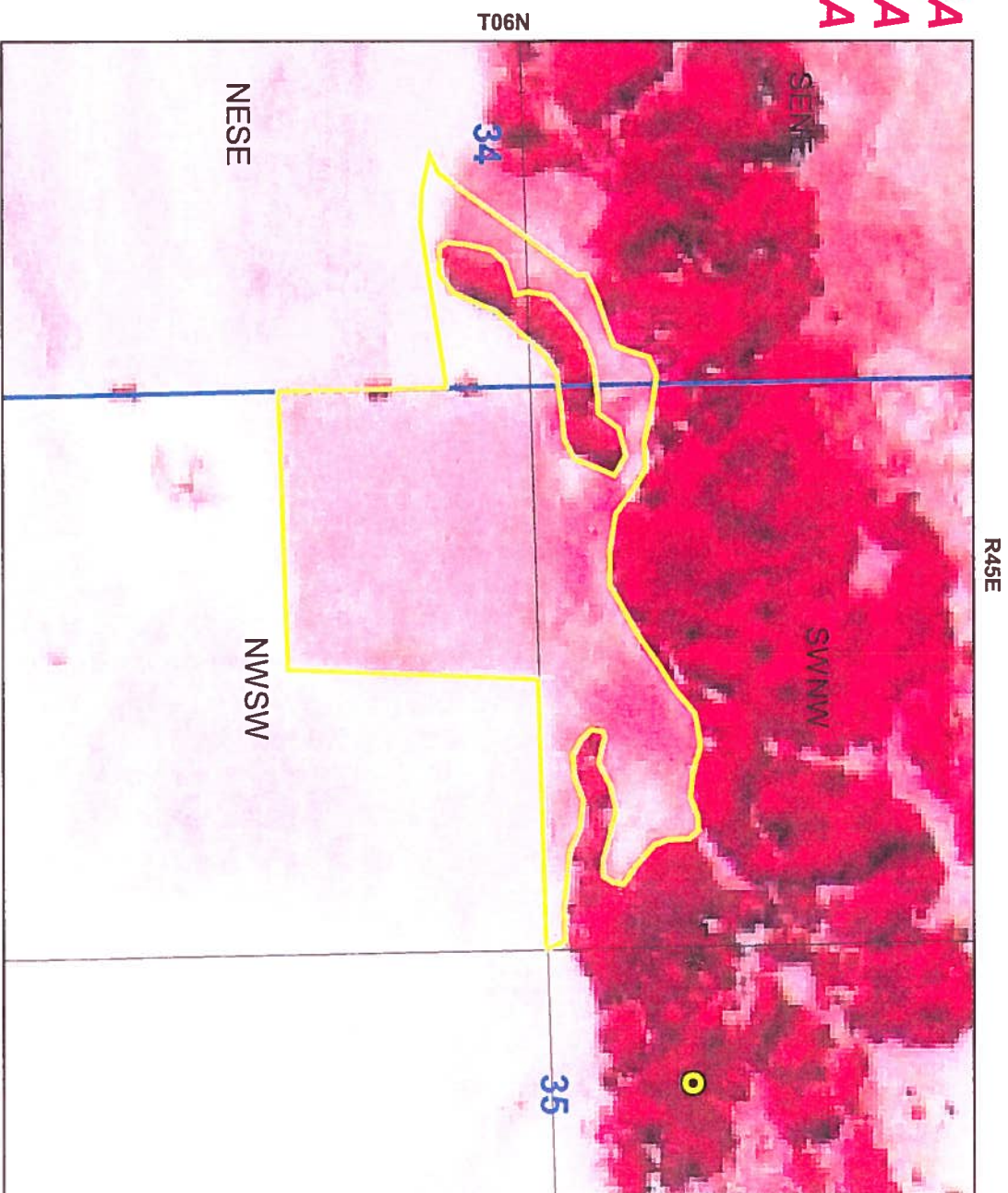
22-303B **22-386A**
22-304B **22-612A**
22-366A **22-613A**
22-367A

Legend

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



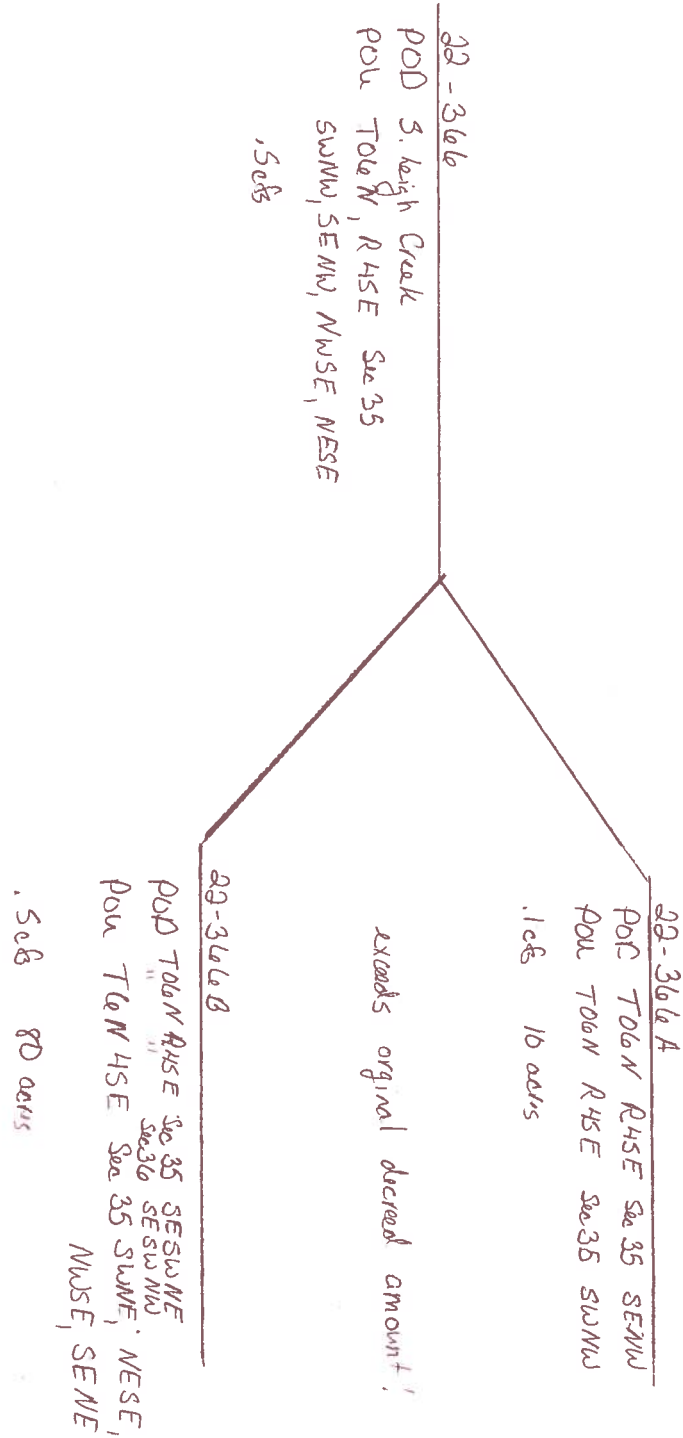
Teton County
IDWR Basin 22



Prepared by K. Moore
 On Wednesday, June 21, 2006
 1987/88 Aerial Photography

Water Right and SRBA Split History Analysis

For 22-366 A/B



Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

Claim No. 22-366A

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

DD 8/19/04 Please refer to claim A2200367A for map of POD and POE.

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:

*POU CLAIMED AS T5N R4SB - OBVIOUS
TYPO - SHOULD READ T6N R4SB - SO RECOMMEND OUT.*

Reviewer: _____ Date: _____

147	Hatch, Mary E.; July 15, 1896; Trail Creek	40
148	Cherry, Thomas; July 30, 1896; Trail Creek	80
149	Sinclair, Jesse; Aug. 13, 1896; Trail Creek	160
151	Lindsay, William; Apr. 1, 1897; South Leigh Creek...	160
153	Williams, Charles; May 15, 1897; South Leigh Creek...	60
154	Parker, B. F.; June 1, 1897; Fox Creek	120
154	Pendleton, Abraham; June 1, 1897; North Leigh Creek	80
154	Penfold, Algeroy; June 1, 1897; Fox Creek	100
154	Penfold, Farley; June 1, 1897; Fox Creek	100
154	Larsen, A. C.; June 1, 1897; Darby Creek	20
154	Thompson & Egbert; June 1, 1897; North Leigh Creek	70
154	Smith, D. G. S.; June 1, 1897; South Leigh Creek...	120
154	Vail, W. C.; June 1, 1897; Fox Creek	120
154	Vail, W. C.; June 1, 1897; Fox Creek	100
15	Atterman, L. C.; June 1, 1897; South Leigh Creek...	120
15	Jenkins, D. H.; June 1, 1897; South Leigh Creek...	60
154	Wyoming & Darby Bench Canal Co., Ltd.; June 1, 1897;	
	Darby Creek	1,380
154	Zimmerman, Zuel; June 1, 1897; South Leigh Creek...	30
154	Little, George A.; June 1, 1897; North Leigh Creek...	120
154	Little, George E.; June 1, 1897; South Leigh Creek...	80
154	Moffat, Andrew; June 1, 1897; South Leigh Creek and	
	Swamps	140
154	Perry, Jeremiah C.; June 1, 1897; North Leigh	80
154	Rouche, Jacob; June 1, 1897; North Leigh Creek...	90
154	Henrie, John; June 1, 1897; North Leigh Creek...	150
154	Henrie, Joseph O.; June 1, 1897; South Leigh Creek...	120
154	Hill, Albert; June 1, 1897; Darby Creek	75
154	Guff, Joseph; June 1, 1897; South Leigh and Swamps	40
154	Cluff, Charles; June 1, 1897; Fox Creek	10
154	Davidson, J. H.; June 1, 1897; South Leigh Creek...	80
154	Crandall, H. L.; June 1, 1897; Darby Creek	20
154	Cannon, Harry L.; June 1, 1897; Darby Creek	100
154	Bush, Geo. W.; June 1, 1897; Darby Creek	20
154	Bowles, William; June 1, 1897; Trail Creek	160
154	Edwards, Andrew; June 1, 1897; Trail Creek	50
154	Allen, Isaac T.; June 1, 1897; Cherry Creek; all of the	
	water of Cherry Creek Springs	50
15	Jyman, Edward; June 10, 1897; South Leigh Creek..	120
156	Porter, John; June 15, 1897; Trail Creek	75
156	Moffat, Mary; June 15, 1897; Leigh Creek	80
156	McCracken, John; June 15, 1897; South Leigh Creek...	160
156	McCracken, James; June 15, 1897; South Leigh Creek...	155
156	Van Leuven, William; June 15, 1897; South Leigh Creek	160
157	Henrie, James D.; June 20, 1897; Leigh Creek	130
159	Homer, Willard G.; June 24, 1897; South Leigh Creek.	160
162	Jones, Joshua; Oct. 28, 1897; Trail Creek	100
163	Clark & Houghton; Apr. 1, 1898; Teton River	200
163	Good Luck Canal Co.; Apr. 1, 1898; Teton River	1,300
163	Hill Ditch Co.; Apr. 1, 1898; Teton River	600
163	Rowe, Reuben H., and Morris McCormick; Apr. 1, 1898;	
	Teton River. (Trough McCormick & Rowe Ditch)	430
163	Ricks, Wallace; Apr. 1, 1898; North Leigh Creek	40
163	Reburg Irrigation Co.; Apr. 1, 1898; Teton River	8,500
163	Pioneer Ditch Co.; Apr. 1, 1898; Teton River	900
163	Pincock Byington Ditch Co.; Apr. 1, 1898; Teton River	700
163	Windmill, Richard, and Richard Withers and Oscar B.	
	Young; Apr. 1, 1898; Teton River. (Eckersell	434
	Canal)	
163	Wilford Irrigation & Manufacturing Co.; Apr. 1, 1898;	

163	Stewart, Samuel (deceased), Estate of by Mary H.	6,608
	Birch, Adminx., and Mary H. Birch; Apr. 1, 1898;	
	Teton River	500
163	Walters, William; Apr. 1, 1898; Teton River. (Stewart	
	& Walters Ditch.) (Joint appropriation with Mons	
	H. Anderson)	332
163	Siddoway Irrigation and Manufacturing Co.; Apr. 1,	
	1898; Teton River	766
163	Teton Island Canal Co.; Apr. 1, 1898; Teton River...	7,982
163	Bird, Martin L., F. W. Garner and George A. Pincock;	
	Apr. 1, 1898; Pincock-Garner Ditch	800
163	Eames, John S.; Apr. 1, 1898; Teton River	50
163	Nelson, David; Apr. 1, 1898; Teton River. (Through	
	Nelson-Jacobs Ditch.)	434
163	Mortensen, Christian; Apr. 1, 1898; Teton River.	
	(Through the Nelson-Jacobs Ditch.)	218
163	Woodmansee-Johnson Ditch; Apr. 1, 1898; Teton River	1,380
163	City of Rexburg; Apr. 1, 1898; Teton River. (For	
	power and municipal purposes.)	1,650
163	Huskinson, William J.; Apr. 1, 1898; Teton River...	50
164	Nelson, Fritz E.; Apr. 15, 1898; Spring Creek	120
165	Lamoureux, Francis A., and Ann.; May 1, 1898; South	
	Leigh Creek	25
166	Hendrickson, Frank; May 1, 1898; Badger Creek...	160
167	Clark, H. J.; May 15, 1898; Teton River	160
168	Wait, F. A.; May 25, 1898; Leigh Creek	160
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Felt, Clara V.; June 1, 1898; Badger Creek	50
169	Brace, Daniel C.; June 1, 1898; Teton Creek	160
169	Black, Joseph A.; June 1, 1898; South Leigh Creek...	150
169	Allen, Amos; June 1, 1898; Fox Creek	50
160	Cherry, Thomas; June 1, 1898; Trail Creek	80
169	Crandall, H. L.; June 1, 1898; Darby Creek	60
169	Crandall, Ira.; June 1, 1898; Darby Creek	20
169	Davidson, J. H.; June 1, 1898; South Leigh Creek...	80
169	Cluff, Charles; June 1, 1898; Fox Creek	150
169	Hamilton, Robert; June 1, 1898; Badger Creek	160
169	Guyman, Edward; June 1, 1898; South Leigh Creek...	40
169	Fullmer, H. D.; June 1, 1898; North Leigh Creek...	160
169	Fullmer, Almond L.; June 1, 1898; North Leigh Creek...	120
160	Hendrickson, Alvira E.; June 1, 1898; South Leigh	
	Creek	60
169	Hendrickson, Alfred; June 1, 1898; Badger Creek...	40
169	Hearst, H. T.; June 1, 1898; Leigh Creek	160
169	Hanson, Alfred; June 1, 1898; North Leigh Creek...	40
169	Poulson, J. C.; June 1, 1898; North Leigh Creek...	130
169	Rammell, George; June 1, 1898; Badger Creek	20
169	Merrill, Sam J.; June 1, 1898; Leigh Creek	160
169	Ramell, C. H.; June 1, 1898; Badger Creek	30
169	Little, George E.; June 1, 1898; North Leigh Creek...	80
169	Hopkins, Ezekiel; June 1, 1898; North Leigh Creek...	80
169	Zimmerman, Zuel; June 1, 1898; South Leigh Creek...	130
169	Hopkins, D. H.; June 1, 1898; South Leigh Creek...	80
169	Hoozier, John L.; June 1, 1898; Spring Creek	120
169	Homer, Benjamin P.; June 1, 1898; Mahogany Creek...	15
169	Holden, E. H.; June 1, 1898; Darby Creek	160
169	Hochstrasser, R. H.; June 1, 1898; Spring Creek	40
169	Hochstrasser, N. W.; June 1, 1898; Spring Creek	50

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: A22-00366A

Date Received: 7/29/1988

Receipt No: E000976

Received By: T.O.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD L. DAVIS 208-356-3233
Address: 215 E. 3RD S. ST.
REXBURG, ID 83440

2. Date of Priority: MAY 01, 1898

3. Source: GROUNDWATER Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	35	SE	NW			TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.100		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	35	SW	NW		IRR	5.0
Section Acres							5.0

A22-00366A

Page 1

Date: 07/29/88

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NOV 04 1992



10. Place of Use: Continued

Total Acres

5.0

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:
A22-00367A, A22-07273.

14. Remarks:

THIS CLAIM IS FOR A PORTION OF DECREED RIGHT 22-0366. CLAIMED
FLOW RATE IS BASED ON 0.02 CFS/ACRE.

15. Basis of Claim: DECREED
Water Right Number: 0366
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET. AL.
Decree Plaintiff

vs

TETON IRR. CANAL CO.
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: 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): Richard L. Davis Date: 8-1-88

Date: _____

State of Idaho)
County of Bonneville) SS.

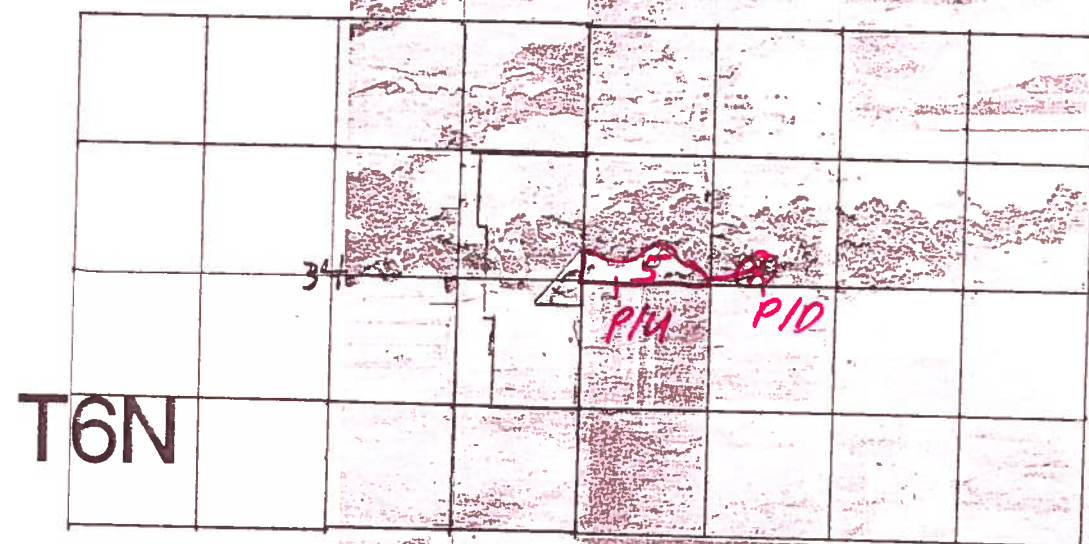
Subscribed and sworn (or affirmed) before me this 1st day
of August 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

A22-00366A



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NOV 04 1992