

10/16/2006

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

RIGHT NUMBER: 22-367A

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: 0.070 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: 05/01/1899

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	0.070 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: 22-367A

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:

4 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/8/06 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



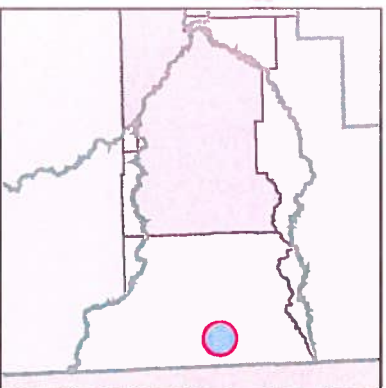
Idaho Department of Water Resources

Adjudication Claims:

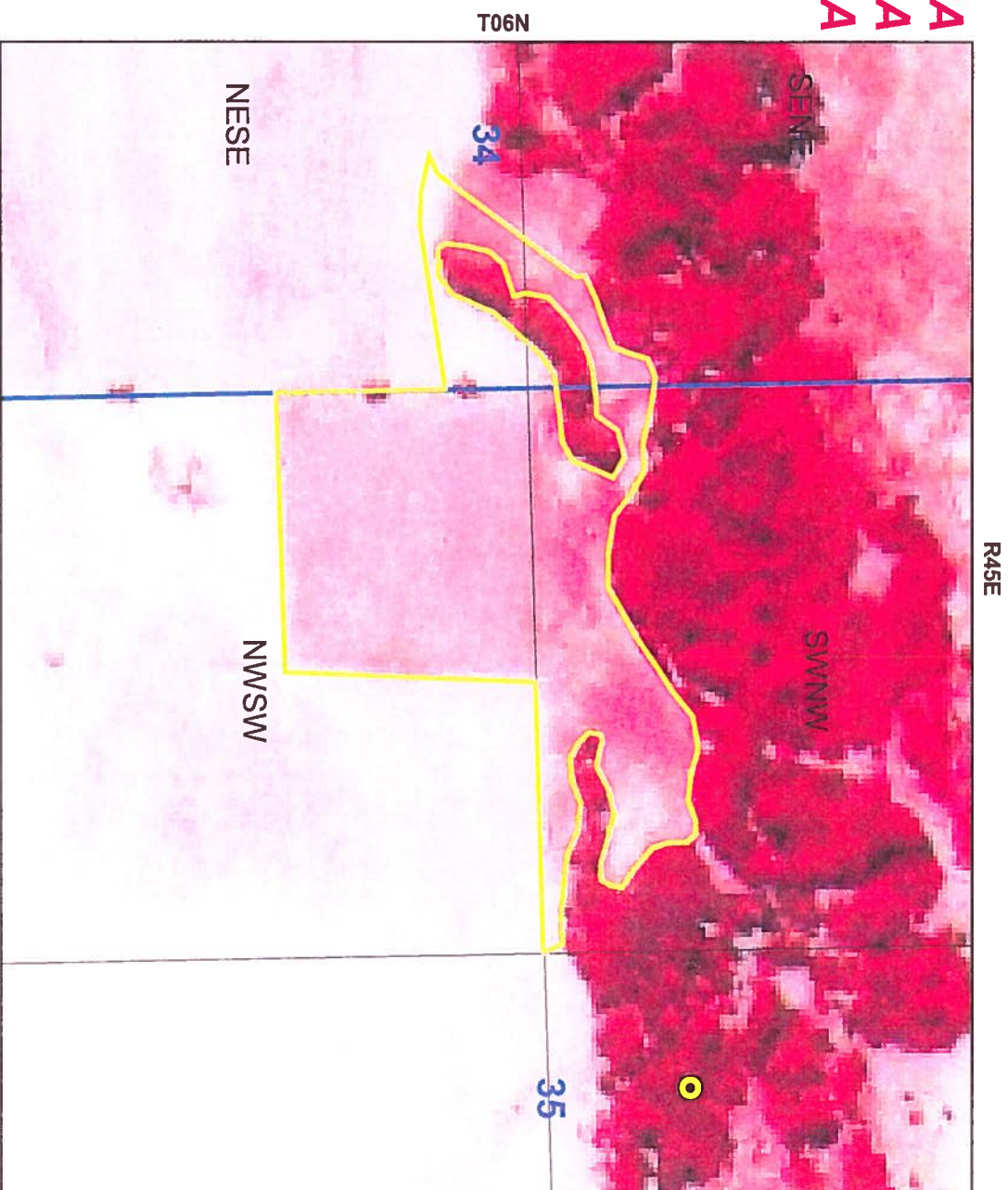
22-303B 22-386A
22-304B 22-612A
22-366A 22-613A
22-367A

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

Claim No. 22-367A

Document Checklist

☒ Copy License/Decree

There was no Decree for
May 1, 1899, but one for May 1, 1898?

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

8/19/04
DO

Refer to claim 42200366A and claim A227273
as related claims,

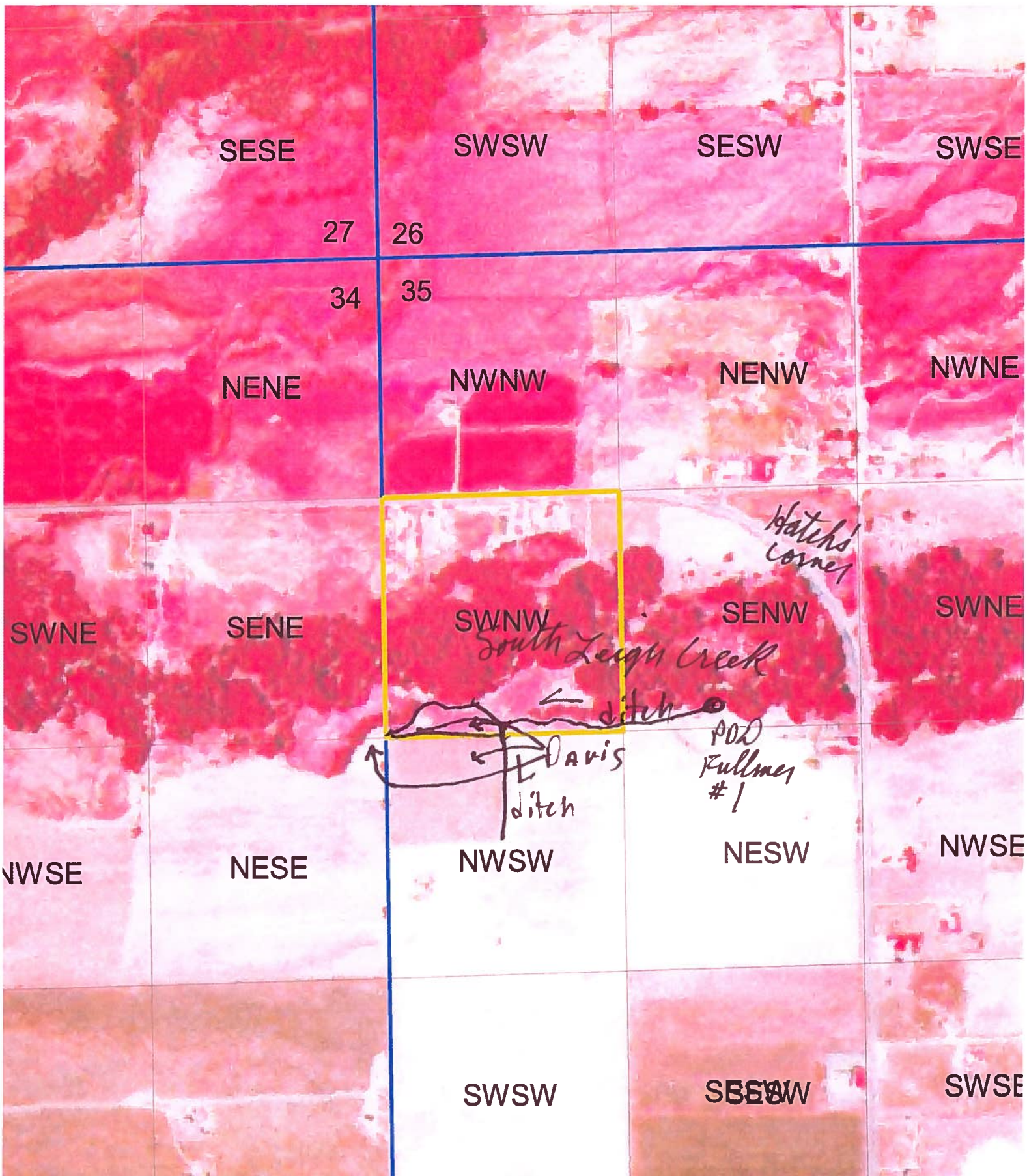
Both show related POD & POU info, such
as GPS readings on headgate and well.

Phyllis

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	60
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	120
30 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	75
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	100
183 Nordval, C.; May 26, 1899; Darby Creek	110
184 Pherson, Neils; June 1, 1899; South Leigh Creek	30
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	80
184 Parker, B. F.; June 1, 1899; Fox Creek	75
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek	80
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soule, C. V.; June 1, 1899; Darby Creek	80
184 Smith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	10
184 Sheser, William; June 1, 1899; Badger Creek	50
184 Stewart, Thompson; June 1, 1899; Badger Creek	100
184 Williams, Charles; June 1, 1899; South Leigh Creek	110
184 Hochstrasser, N. W.; June 1, 1899; Badger Creek	80
184 Price, J. W.; June 1, 1899; Teton Creek	35
184 Ronche, Jacob; June 1, 1899; North Leigh Creek	60
184 Priestly, W. W.; June 1, 1899; Badger Creek	160
184 Ronche, Jacob; June 1, 1899; North Leigh Creek	100
184 Hendrickson, Milton; June 1, 1899; Badger Creek	75
84 Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	70
184 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	160
184 Bernston, Richard; June 1, 1899; Badger Creek	40
184 Anderson, Charles; June 1, 1899; Teton Creek	160
184 Fairbanks, D. M.; June 1, 1899; Teton Creek	120
185 Hendrickson, William; June 15, 1899; Badger Creek	140
187 Letnam, P. D.; July 15, 1899; Swamp	160
191 Randolph, Frantz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	80
192 Eynon, Rufus; Apr. 1, 1900; Trail Creek	160
185 Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	220
199 Allen, George W.; May 26, 1900; Mahogany Creek	160
199 Cartington, Enock; May 26, 1900; Mahogany Creek	120
200 Bush, George W.; June 1, 1900; Fox Creek	160
200 Hegsted, Victor; June 1, 1900; Horse Shoe Creek	800
200 Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	

200 Herendeen, 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 Hicks, Wallace; June 1, 1900; North Leigh Creek	110
200 Rammell, George; June 1, 1900; Badger Creek	40
200 Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200 Homer, 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 Letnam, 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, Lamorne; Sept. 1, 1901; Spring Creek	40
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	20
228 Shirts, Wallace; May 15, 1902; Trail Creek	40
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	2,700
229 Haden Canal Co.; June 1, 1902; Badger Creek	930
229 Rammell, George; June 1, 1902; Badger Creek	40
229 Rammell, C. H.; June 1, 1902; Badger Creek	30
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	160
229 Wood, Frank; June 1, 1902; Badger Creek	120
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	60
229 Morris, Samuel; June 1, 1902; Trail Creek	30
229 Larsen, A. C.; June 1, 1902; Darby Creek	80
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	60
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229 Sheser, William; June 1, 1902; seepage water in springs on place	150
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	40
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	120
241 McNally, Gilbert; May 1, 1903; Trail Creek	40
242 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	2,000
For reservoir purposes between the 15th day of March until the 15th day of June of each year	

22-367A



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: A22-00367A
Date Received: 7/29/1988
Receipt No: E 000976
Received By: TO

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, 1899

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	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
06N	45E	35	SW	NW		IRR	5.0
Section Acres							5.0

A2200367A



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:
A22-00366A, A22-07273.

14. Remarks:

THIS CLAIM IS FOR A PORTION OF DECREED RIGHT 22-00367. CLAIMED
FLOW RATE IS BASED ON 0.02 CFS/ACRE.

15. Basis of Claim: DECREED
Water Right Number: 00367
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET. AL.
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

(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.

For Individuals:

foregoing document are true and correct.

Signature of Claimant(s): Richard L Davis Date: 8-1-88

Date:

Subscribed and sworn (or affirmed) before me this 1st day
of August 19 88 Betty J.
Notary Public

Betty J. Thompson
Notary Public

Residing at Idaho Falls
My Commission Expires 6-94

MICROFILMED
NOV 04 1992

A22-00367A

T6N

T5N

34

3
P/U

P/D

MICROFILMED

NOV 04 1992