

08/14/2006

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

RIGHT NUMBER: 22-389
NAME AND ADDRESS: JANIECE BELL
445 N 450 W
TETONIA ID 83452

MACK BELL
445 N 450 W
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 3,200 CFS
PRIORITY DATE: 06/15/1897
POINT OF DIVERSION:

T06N R45E S33 NESESW 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	3,200 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S06	NESE	40.00	T05N R45E S06	NWSE	31.00
T05N R45E S06	SWSE	39.00	T05N R45E S06	SESE	33.00

143 ACRES TOTAL

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

Water is delivered through Bell McCracken Ditch



Idaho Department of Water Resources

Adjudication Claim:
22-389

Legend

●

Point of Diversion

Place of Use

Townships

PLS Sections

Quarter Quarters

Teton County
IDWR Basin 22

Prepared by D. Carlson
On Monday, August 14, 2006
1987/88 Aerial Photography

The main map is an aerial photograph overlaid with a grid. The grid is labeled with Township and Range coordinates: T06N, T05N, R45E, and R46E. The map shows various land features, including roads, fields, and water bodies. A yellow circle marks the 'Point of Diversion' in the upper left quadrant. A yellow rectangle highlights a specific area in the lower right quadrant, which is further divided into smaller sections labeled 'NWSE', 'NESE', 'SESE', 'NWSE', 'NESE', and 'SESE'. A scale bar at the bottom indicates distances of 0, 0.8, and 1.6 miles. A north arrow is located in the upper right corner.



6

NESE

ESSE

NWSE

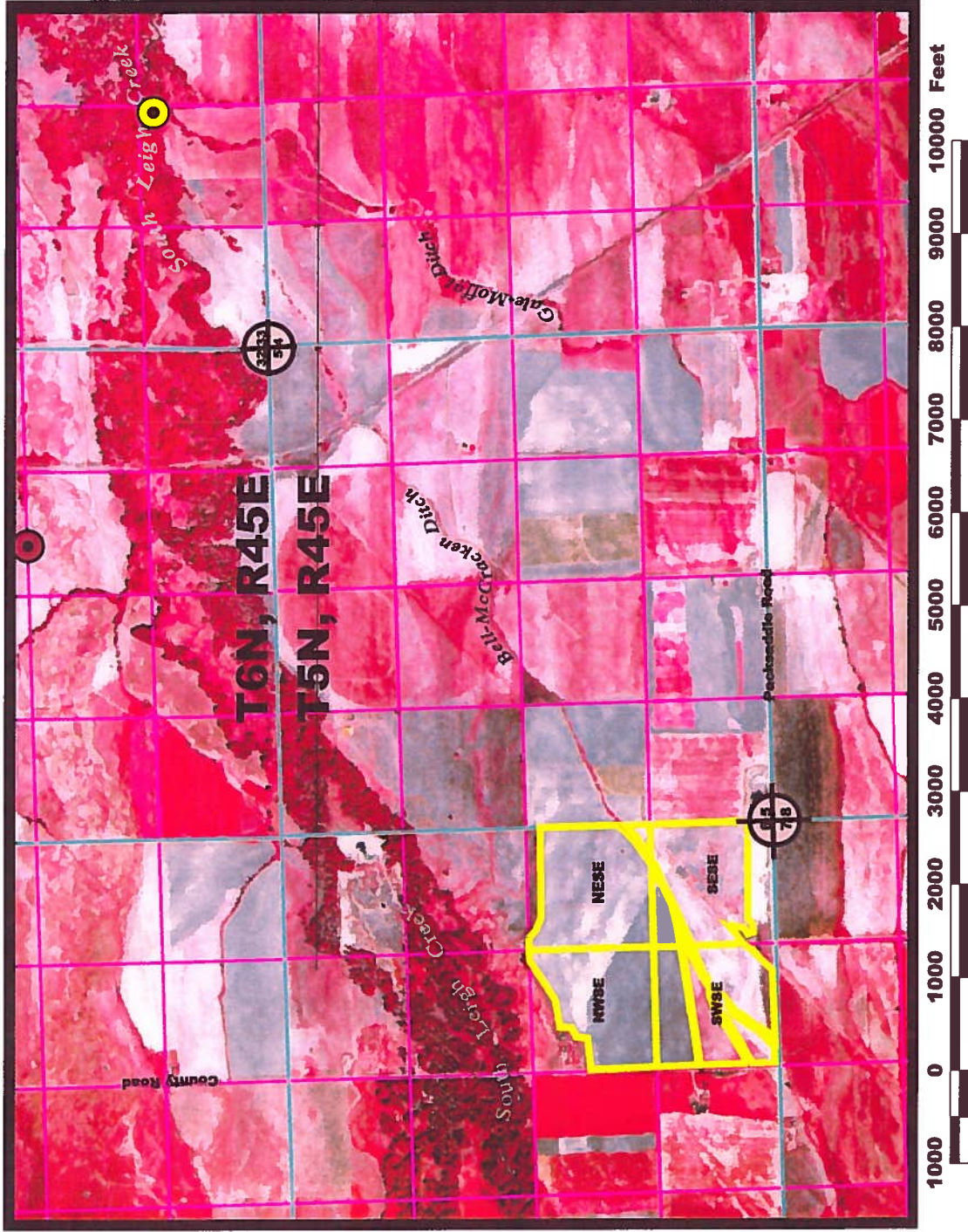
SVASE



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-00389

Point(s) of Diversion:
T6N, R45E Sec. 33 NESWSE

Place of Use: (parts of)
T5N, R45E Sec. 6 SE

Delivery by Bell-McCracken Ditch

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: February 2005

02/25/2005

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: 22-389

JANIECE BELL
445 N 450 W
TETONIA ID 83452

MACK BELL
445 N 450 W
TETONIA ID 83452
Telephone Number: (208)456-2842

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

QUANTITY

2. Describe the changes you wish to make in the proposed recommendation:

Claimed 3.2 CFS please recommend
3.2 CFS NOT 2.68.

3. Give a brief explanation as to why you disagree with these portions:

Original Decree was for 3.2 CFS

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

DATE:

6/17/05

SIGNATURE:

Mack Bell

Please print your name:

MACK BELL

IDWR Regional Office,

6/29/05

This Right WAS SPLIT INCORRECTLY - The split
portion will BE ADDED BACK.

ABR

RECEIVED
JUN 17 2005

Department of Water Resources
Eastern Region

SCANNED

JUN 17 2005

SCANNED

JUN 29 2005

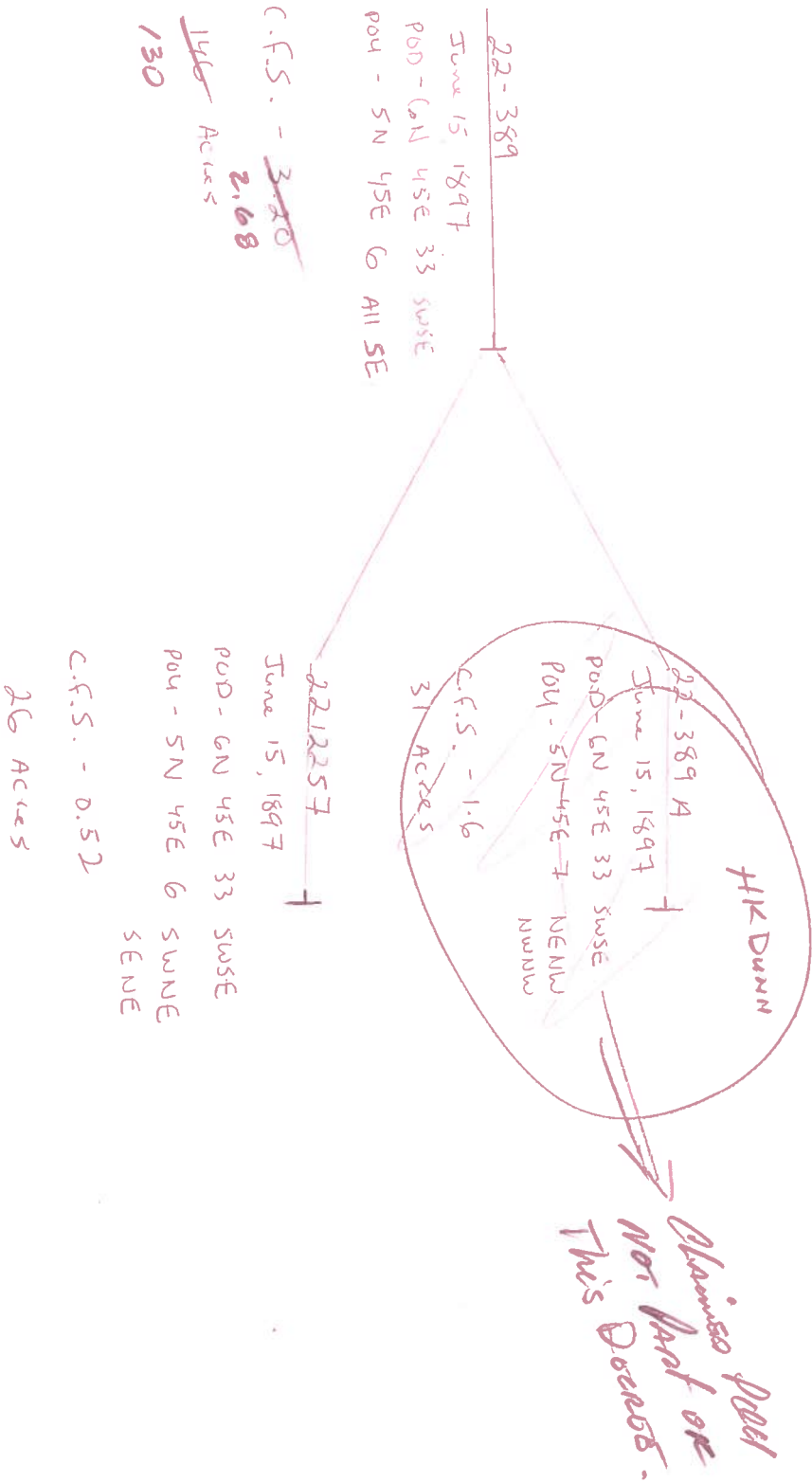
should file
on 22-609

PROFILED

KAW
6/17

Water Right and SRBA Split History Analysis

Notes: 22-389 A is not a split of 22-389.
 22-389 A is delivered through the Gale-Moffitt while
 22-389 and 2212257 are delivered through the Bell-McCicken Ditch



Reviewer: _____
 mydoc/fieldexamforms/splithistory

SCANNED

Date: _____

MAR 16 2005

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Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.SPLIT History Road: SEE 22-389ASEE DOCKET - This OR 389A may NOT TO BE REINVESTIGATED.6/23/04 FR: AL Rukerry and Don O'Brien
VISITOO POOL/POOL - FLOOD ining.

Reviewer: _____ Date: _____

SCANNED

MAR 16 2005

PROFILE

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 6/15/1897 Claimed Basis: DecreeRecommended Priority Date: " Recommended Basis: "

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

MATCHES DECREE

Reviewer: _____

Date: _____

PRG

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MAR 16 2005

Point of Diversion and Source Data Entry Form

Claim Number: 12-389Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
66N	45E	33		SWSE	Teton	South Leigh	Teton River

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
66N	45E	33		SWSE	Teton	South Leigh	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Water Delivered through the Bell-Macracken headgate

Remark

Reviewer: _____ Date: _____

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MAR 16 2005

PROFILE

Claim Number: _____

[illegible]

Total acres _____

[illegible]

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

Now the POU was verified:
Claimed Acres is 146 Acres; GIS Acres shows 130⁰ Acres

$C\phi S$

Reviewer: _____ Date: _____

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Season of Use and Quantity Data Entry Form

Claim Number: _____

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
FRUG	31	12/1	3.2	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FRUG	4/15	10/31	2.68	

Overall Diversion Rate _____ Overall Diversion Volume _____

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

IDWR Std SCOW is 4/15-10/31 for this Area

Q REDUCED (w/ CONVEY LOSS ALLOWED) DUE TO 22-12257.

Reviewer: _____

Date: _____

SCANNED

MAR 16 2005

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Water Right No(s). _____



GPS DATA:

Tag # A0013845 Location: ON WING WALL

Diversion Data:

Source: SOUTH LEIGH CREEK Trib to: TETON RIVER

MOTOR

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

PUMP

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

NOTES:

HEADGATE FOR BELL-McCRACKEN DITCH. DIVERTS
ONLY TO PRIVATE RIGHTS.

Field Exam Date: 6/23/04 Agent: ARL DO

SCANNED

MAR 16 2005

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Bell-McCracken headgate off South Leigh Creek.
6/29/2004 12:22:27 PM
Serves several users.

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
154	Waterman, L. C.; June 1, 1897; South Leigh Creek	120
154	Hopkins, 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	Gale, 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
155	Guyman, 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	156
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	Rexburg Irrigation Co.; Apr. 1, 1898; Teton River	8,500
163	Pioneer Ditch Co.; Apr. 1, 1898; Teton River	900
163	Pinecock 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 Canal)	494

163	Stewart, Samuel (deceased), Estate of, by Mary H. Birch, Adminx., and Mary H. Birch; Apr. 1, 1898; Teton River	6,608
163	Walters, William; Apr. 1, 1898; Teton River. (Stewart & Walters Ditch.) (Joint appropriation with Mons H. Anderson)	500
163	Siddoway Irrigation and Manufacturing Co.; Apr. 1, 1898; Teton River	332
163	Teton Island Canal Co.; Apr. 1, 1898; Teton River	766
163	Bird, Martin L. F. W. Garner and George A. Pincock; Apr. 1, 1898; Pincock-Garner Ditch	7,982
163	Eames, John S.; Apr. 1, 1898; Teton River	800
163	Nelson, David; Apr. 1, 1898; Teton River. (Through Nelson-Jacobs Ditch.)	50
163	Mortensen, Christian; Apr. 1, 1898; Teton River. (Through the Nelson-Jacobs Ditch.)	434
163	Woodmansee-Johnson Ditch; Apr. 1, 1898; Teton River	21
163	City of Rexburg; Apr. 1, 1898; Teton River. (For power and municipal purposes.)	1,380
163	Huskinson, William J.; Apr. 1, 1898; Teton River	1,650
164	Nelson, Fritz E.; Apr. 15, 1898; Spring Creek	50
165	Lamoreaux, Francis A., and Ann.; May 1, 1898; South Leigh Creek	120
166	Hendrickson, Frank; May 1, 1898; Badger Creek	25
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	Bruce, 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	80
169	Cherry, Thomas; June 1, 1898; Trail Creek	50
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	1
169	Fullmer, H. D.; June 1, 1898; North Leigh Creek	120
169	Fullmer, Almond L.; June 1, 1898; North Leigh Creek	1
169	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	40
169	Hanson, Alfred; June 1, 1898; North Leigh Creek	160
169	Poulson, J. C.; June 1, 1898; North Leigh Creek	40
169	Rammell, George; June 1, 1898; Badger Creek	130
169	Merrill, Sam J.; June 1, 1898; Leigh Creek	20
169	Ramell, C. H.; June 1, 1898; Badger Creek	160
169	Little, George E.; June 1, 1898; North Leigh Creek	30
169	Hopkins, Ezekiel; June 1, 1898; North Leigh Creek	80
169	Zimmerman, Zuel; June 1, 1898; South Leigh Creek	80
169	Hopkins, D. H.; June 1, 1898; Spring Creek	130
169	Hoozier, John L.; June 1, 1898; South Leigh 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

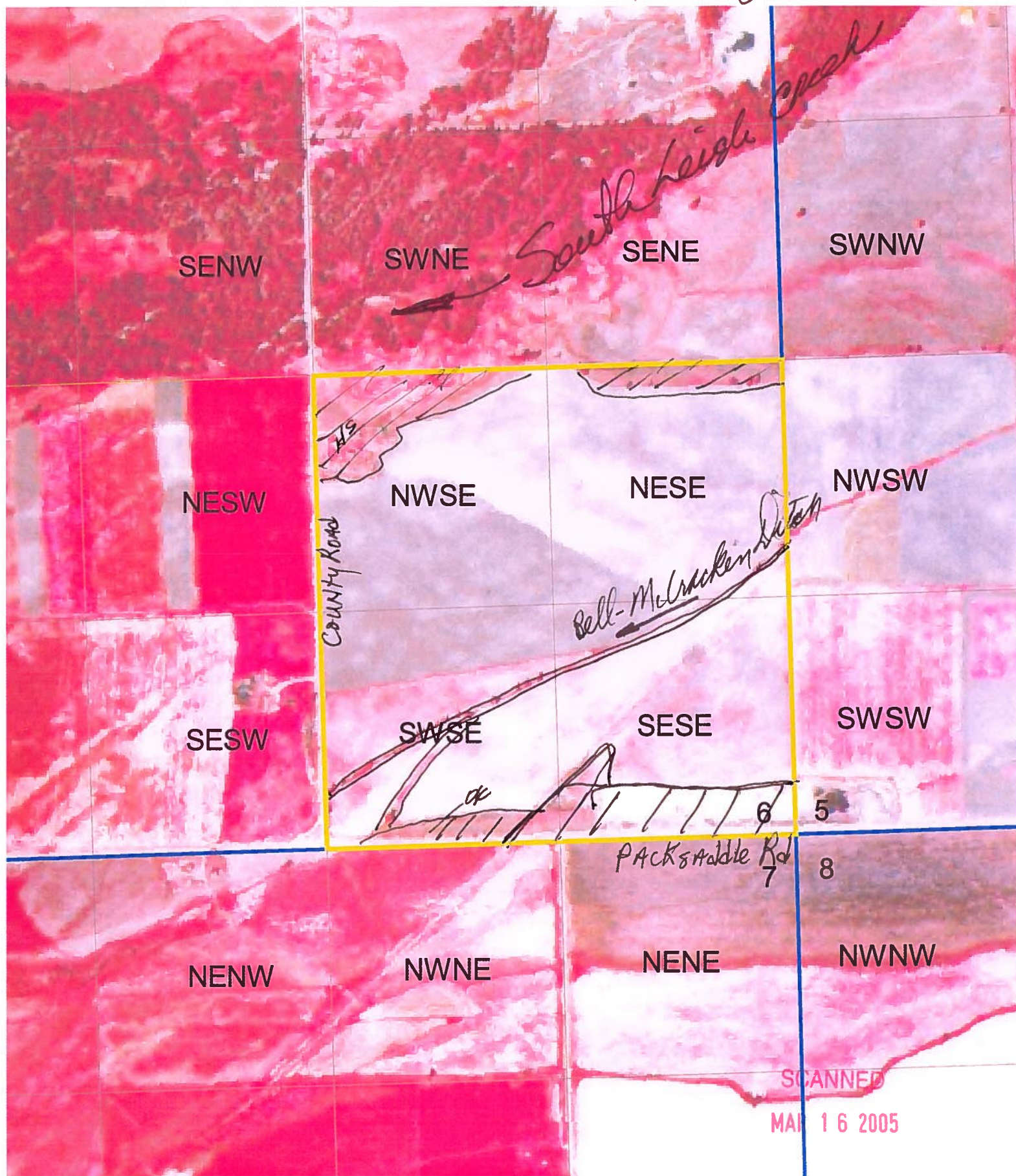
SCANNED

MAR 16 2005

PROFILED

22-389

SBK DO 6/23/04



4196

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: A22-00389
Date Received: 9/08/1988
Receipt No: E 002143
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MACK BELL 208-456-2842
Address: 445 N. 450 W.
TETONIA, ID 83452

OR

Name: JANIECE BELL
Address: TETONIA, ID 83452

2. Date of Priority: JUN 15, 1897

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	33	SW	SE			TETON

5. Description of diverting works:
CONCRETE HEADGATE TO DITCH AND FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	3.200		

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

8. Total consumptive use is 292.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00389

Page

1

Date: 09/08/88

PROFESSIONAL

SCANNED
MAR 16 2005

MICROFILMED
NOV 04 1988

A2200389



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	6	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	33.0
			SE	SE		IRR	33.0
						Section Acres	146.0
						Total Acres	146.0

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:
NONE

14. Remarks:

AC. IRR. = 160. DECREE HAS BEEN CORRECTED FROM T6N TO T5N.
P/D BELL MC CRAKEN DITCH - W.D. 01 RECORDS.

15. Basis of Claim: DECREED
Water Right Number: 220389
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

SCANNED
MAR 16 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 X 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): Mack Bell Date: 9-8-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of September 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94

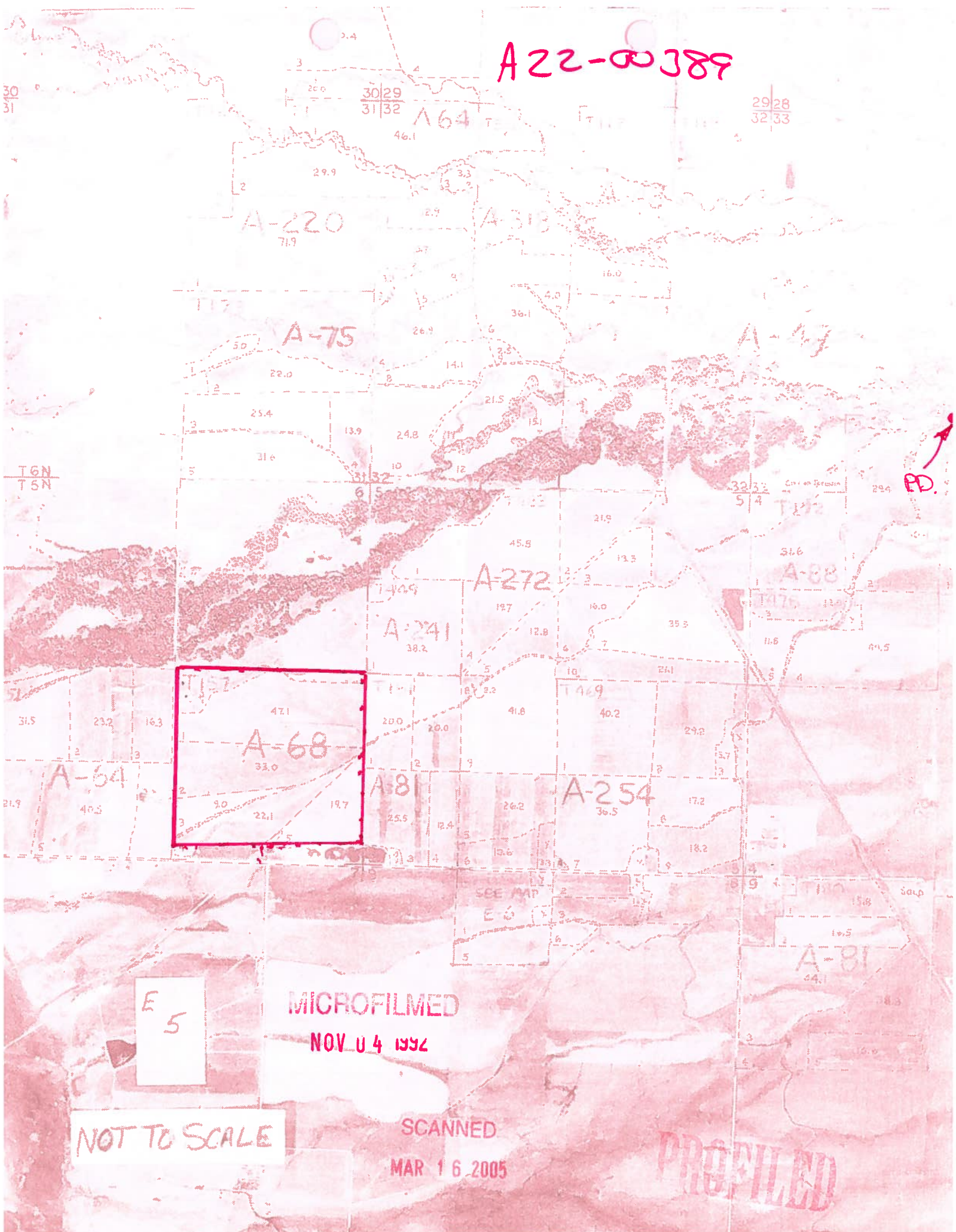
FILED

MAR 16 2005

MICROFILMED

NOV 04 1992

A22-0389



E
5

MICROFILMED

NOV 04 1992

NOT TO SCALE

SCANNED

MAR 16 2005

PROFILED