

11/21/2006

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

RIGHT NUMBER: 22-420B

NAME AND ADDRESS: JOE NETHERCOTT
375 S 100 W
VICTOR ID 83455

SOURCE: DARBY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:

T04N R46E S17 SWNWNE Lot 1 Within TETON County

T04N R46E S18 NESENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.800 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S14 NWSW 36.00

36 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 Cherry Grove Canal Co. ditch.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 17, 2008

RECEIVED

DEC 31 2008

DEPARTMENT OF
WATER RESOURCES

JOE NETHERCOTT
678 W 400 N
TETONIA ID 83452-5001

RE: Snake River Basin Adjudication (SRBA)
Decreed Water Right #22-420B

Mail updated 1-5-09

Dear Water Right Holder:

Mail sent to you by the SRBA District Court was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by January 9, 2009. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

RECEIVED

JAN 06 2009

Department of Water Resources
Eastern Region

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Joe Nethercott
Water Right Holder's Signature

208 354 7427
Telephone No. **SCANNED**

JAN 05 2009

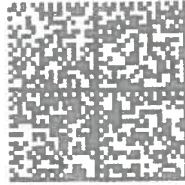
22-420 B fl.

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RECEIVED

DEC 15 2008

Department of Water Resources



US POSTAGE
\$ 00.42
FIRST CLASS
Mailed From 83301
11/24/2008
031A 0002303159

NAME AND ADDRESS:

JOE NETHERCOTT
375 S 100 W
VICTOR, ID 83455

8345533113 R002

83303@2707

FORWARD TIME EXP RTN TO SEND
NETHERCOTT, JOE
678 W 400 N
TETONIA ID 83452-5001

RETURN TO SENDER



SCANNED

JAN 05 2009



Idaho Department of Water Resources

SRBA Recommendation:

22-420B

(Irrigation)

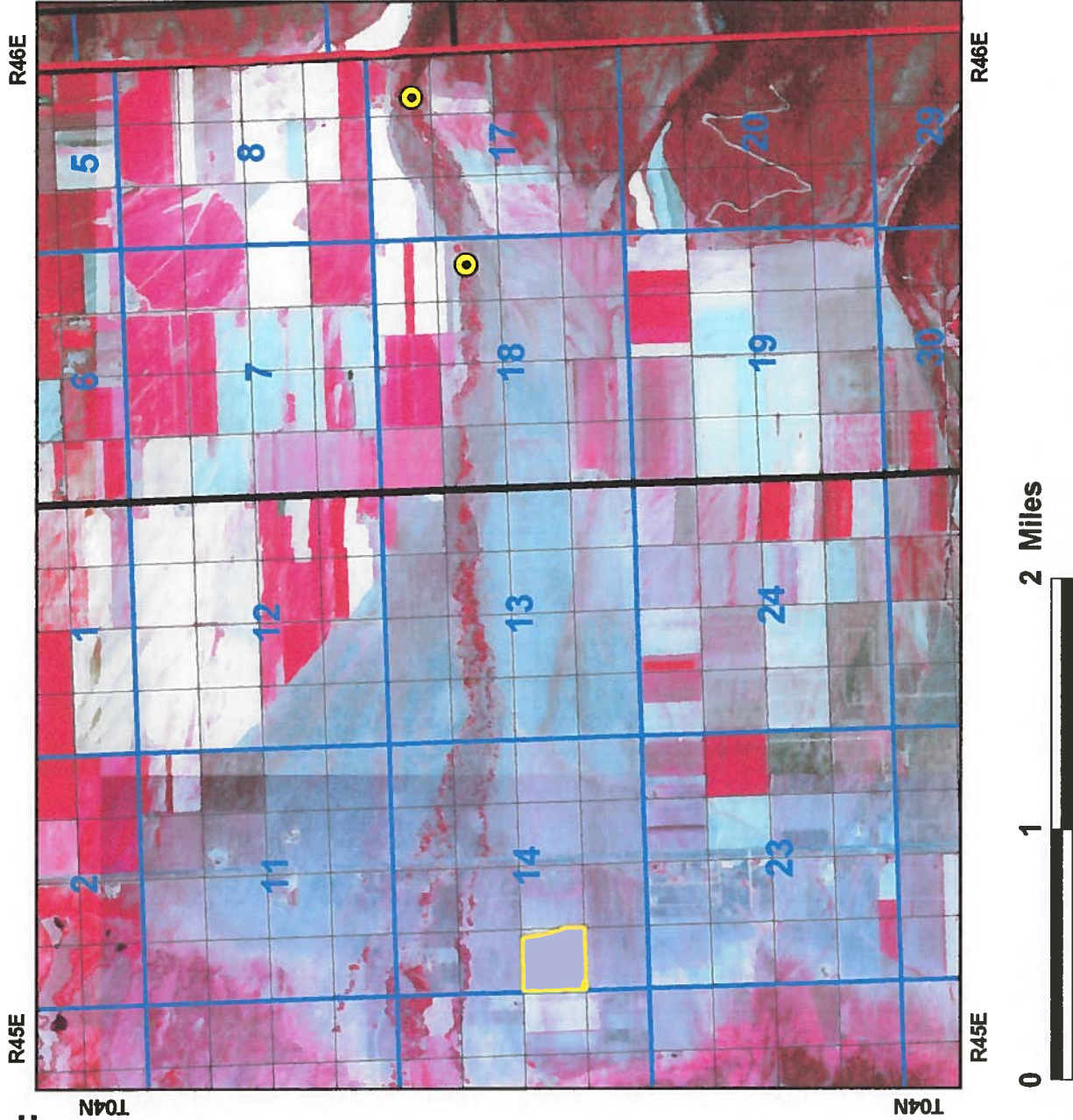
Legend

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



Teton County
IDWR Basin 22

Prepared by C. Bird
On Tuesday, November 21, 2006
1987/88 Aerial Photography



22-420B



#36

Morgan, J. F. and Joseph			(See J. H. Riley.)
~~4-0531~~ 1 127✓	Morgan, Joshua B.	100 inches. May 1, 1886.	South Fork of Snake River.
~~4-0531~~ 1 128✓	Morgan, Joshua B.	50 inches. May 1, 1888.	South Fork of Snake River.
~~4-0531~~ 22 0413✓	Morris, Samuel	30 inches. June 1, 1902.	Trail Creek.
~~4-0531~~ 22 0414✓	Morris, William L.	110 inches. June 1, 1900.	Garner Creek and Trail Creek.
~~4-0531~~ 22 0415✓	Mortensen, Christian	218 inches. Apr. 1, 1893.	Teton River, through the Nelson-Jacobs ditch.
~~4-0531~~ 22 0416✓	Mortensen, Christian	112 inches. May 1, 1889.	Teton River, through the Nelson-Jacobs ditch.
Mortensen, James. P.			North Salem Agricultural & Milling Canal Company.
Moss, H. R.			Lowder Canal Company.
~~4-0531~~ 22 0417✓	Moulton, Charles	100 inches. May 15, 1896.	Lowder Canal Company.
~~4-0531~~ 22 0418✓	Moulton, George F.	100 inches. May 15, 1896.	Fox Creek.
Muir, James			Fox Creek.
~~4-0531~~ 22 0419✓	Murphy, G. M.	150 inches. June 1, 1890.	The Sunny Dell Irrigation Canal Company.
Murphy, James.			Darby Creek. #43
~~4-0531~~ 22 0420✓	Murphy, Patrick		The Farmers' Friend Canal Company.
~~4-0531~~ 22 0420✓	Murphy, Thomas S.	160 inches. June 1, 1896.	Wearyrick Ditch Company
<u>N.</u>			
~~4-0531~~ 22 0421✓	Nave, Robert H.		Wolf Ditch Company.
~~4-0531~~ 22 0421✓	Nave, Martin L.	50 inches. June 1, 1886.	Moody Creek. (To be reduced to 25 inches after June 20th of each year.)
~~4-0531~~ 22 0422✓	Nave, Martin L.	25 inches. June 1, 1886.	Teton River.
~~4-0531~~ 22 0422✓	Nedrow, Simington	75 inches. June 19, 1893.	Springs on land.
~~4-0531~~ 22 0422✓	Nelson, Andrew	160 inches. June 20, 1891.	Hull's Slough--Boone Creek.
23-0075✓	Nelson, Anton	180 inches. May 20, 1889.	Johnson dam.)
~~4-0531~~ 22 0423✓	Nelson, Anton		Salisado Creek.

Murphy, Homer E.

SW $\frac{1}{4}$ of Sec. 14, T. 4 N., R., 45 E. B. M.,
containing 160 acres.

Murphy, Patrick

SW $\frac{1}{4}$ of Sec. 4, T. 3, S., R., 34 E. B. M., con-
taining 160 acres.

Murphy, Thomas E.

SW $\frac{1}{4}$ of Sec. 14, T. 4 N. R., 45 E., B. M.,
containing 160 acres.

N.

Nave, Martin L.

NE $\frac{1}{4}$ of Sec. 15, T. 6 N. R., 40 E. B. M.,
containing 160 acres.

Nedrow, Simington

SW $\frac{1}{4}$ of Sec. 32, T. 9 N. R., 42 E., B. M.,
containing 160 acres.

Neilson, Ephraim

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 28, T. 2 N., R., 38 E. B. M.
containing 80 acres.

Nelson, Andrew

NW $\frac{1}{4}$ of Sec. 34, T. 4 S., R., 42 E. B. M.,
containing 160 acres.

Nelson, Anton

S $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{2}$ of NE $\frac{1}{2}$, and NW $\frac{1}{2}$ of SE $\frac{1}{2}$
of Sec. 27, T. 1 N. R., 44., E. B. M.,
containing 160 acres.

Nelson, Brigham W.

E $\frac{1}{2}$ of SE $\frac{1}{2}$ of Sec. 2, and W $\frac{1}{2}$ of SW $\frac{1}{2}$ of
Sec. 23, T. 13, N., R., 41 E., B. M.

Nelson, David

SE $\frac{1}{2}$ of Sec. 3, W $\frac{1}{2}$ of SW $\frac{1}{2}$ of Sec. 2,
T. 6 N. R., 40 E. B. M., containing
24 0 acres.

Nelson, Fritz E.

"S $\frac{1}{2}$ of NE $\frac{1}{2}$ and SE $\frac{1}{2}$ of NE $\frac{1}{2}$ of Sec. 5, T.
3 N., R., 45 E., B. M., containing 160
acres."

Nelson, James D.

S $\frac{1}{2}$ of NW $\frac{1}{4}$, and E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 27. T.
5 N. R., 39 E., B. M., containing
160 acres.

Nelson, John

SW $\frac{1}{4}$ of Sec. 34, T. 4 S., R., 32 E., B. M.,
containing 160 acres.

Nelson, N. J.

NE $\frac{1}{4}$ of NE $\frac{1}{2}$ of Sec. 2, T. 3 S., R., 34 E. B. M.
containing 40 acres.

Nelson, O. E.

E $\frac{1}{2}$ of NE $\frac{1}{2}$, and NW $\frac{1}{2}$ of NE $\frac{1}{2}$ of Sec. 33, T.
4 S., R., 32 E., B. M., containing 120 acres.

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 22-420B
Date Received: 10/3/1988
Receipt No: E002855
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOE NETHERCOTT Phone: (208) 354-2744

375 S 100 W
VICTOR ID USA 83455

2. Date of Priority: 06/01/1896

3. Source: DARBY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	46E	18	SE NE	TETON	
04N	46E	17	NW NE 1	TETON	

5. Description of diverting works:

HEADGATE W/CANAL AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	14	NW	SW	IRRIGATION	40
					Section Acres	40
					Total Acres	40

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:

14. Remarks:

THIS RIGHT IS A SPLIT OF WR# 22-00420.

CHANGED SOURCE FROM GROUNDWATER TO DARBY CREEK PER EC 1/31/96 JT

15. Basis of Claim: Decreed

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

of _____ 20__ _____

Notary Public

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.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-00420B
Date Received: 9/08/1988
Receipt No: E002855
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: JOE NETHERCOTT
Address: 81 WEST 250 SOUTH
VICTOR, ID

208-354-2744

83455

2. Date of Priority: JUN 01, 1896

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	46E	17	NW	NE		1	TETON
		18	SE	NE			TETON

RECEIVED
OCT 3 1988
Department of Water
Eastern District

5. Description of diverting works:
HEADGATE W/CANAL AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

A.F.A.

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	14	NW	SW		IRR	40.0
Section Acres							40.0

A22-00420B

Page

1

Date: 09/08/88

10. Place of Use; Continued

Total Acres 40.0

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:

SHARES IN CHERRY GROVE CANAL CO. (A22-00096)

14. Remarks:

THIS RIGHT IS A SPLIT OF WR# 22-00420.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

VS

TETON IRR. CANAL CO. ET AL
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): Joe Petrucci Date: 10-1-88
Date: _____

State of Idaho)
County of Teton) ss.

Subscribed and sworn (or affirmed) before me this 1 day
of October 19 98 Orin H. H.
Notary Public

Orlando W. Webster
Notary Public

Seal

Residing at Victor Idaho
My Commission Expires 5/25/92

A22-0042

m

N

D

T

E

REST