

09/06/2006

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

RIGHT NUMBER: 22-441A

NAME AND ADDRESS: TIBBITTS PRODUCE CO
ERROL TIBBITTS PRES
4190 E 500 N
RIGBY ID 83442

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 1.700 CFS

PRIORITY DATE: 06/01/1903

POINT OF DIVERSION:

T06N R45E S33 NWSWE 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	1.700 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S06 Lot 3 NENW	18.00	T06N R45E S31	SESW	32.00
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50 ACRES TOTAL

50 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-440, 22-441A

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 Black Ditch

09/07/2006

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: 22-441A

TIBBITTS PRODUCE CO

ERROL TIBBITTS PRES

4190 E 500 N

RIGBY ID 83442

Telephone Number: (208) 745-8410

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: 12-1-06

SIGNATURE:

TIBBITTS PRODUCE CO. INC.

Please print your name:

By Errol W. Tibbitts, President
ERROL W. TIBBITTS

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

KMD
12/17



Idaho Department of Water Resources

Adjudication Claim:

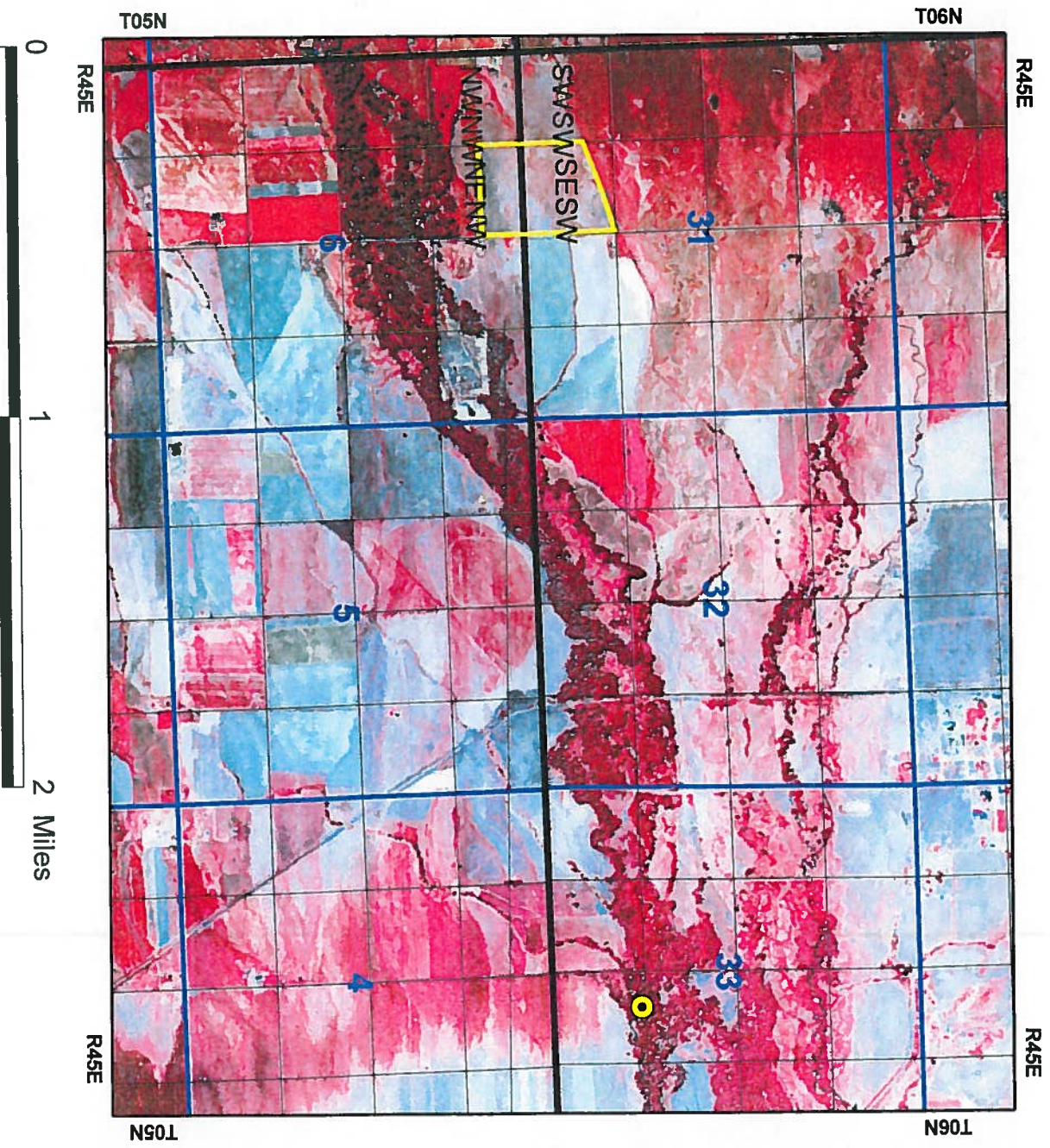
22-441A

Legend

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



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Wednesday, September 6, 2006
1987/88 Aerial Photography

22-441A



SWSW

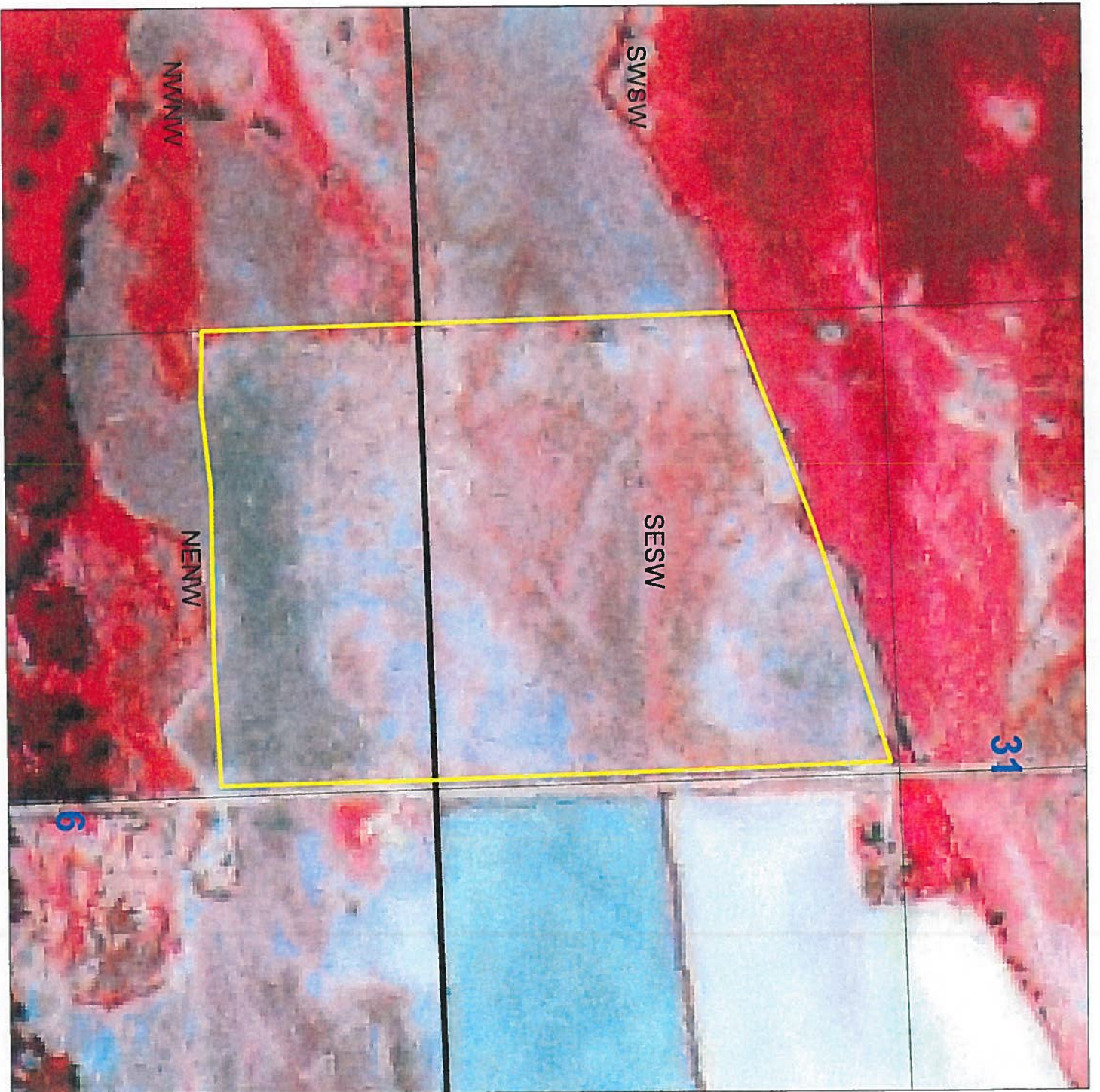
SESW

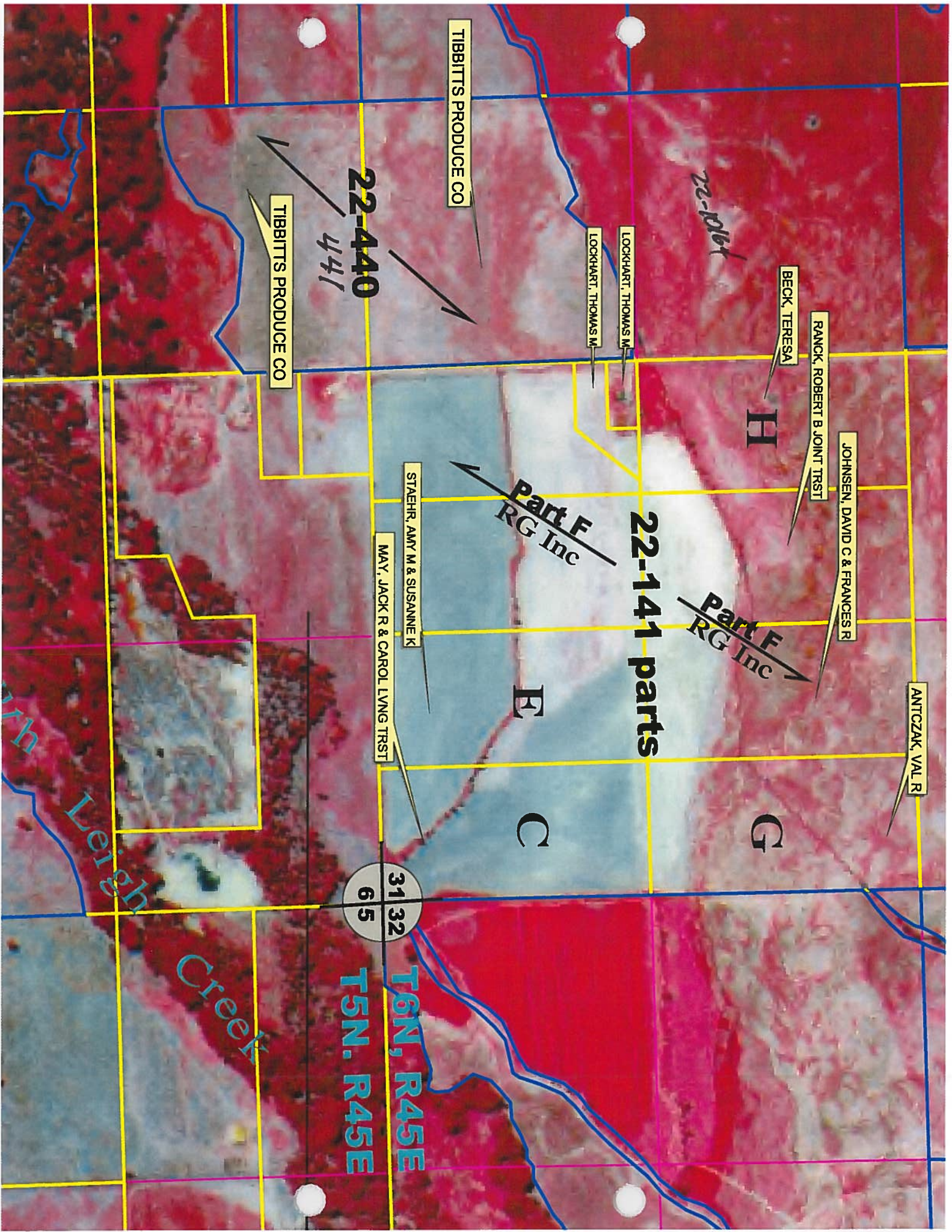
NMWN

NENW

31

6





TIBBITTS PRODUCE CO

22-440
441

TIBBITTS PRODUCE CO

LOCKHART, THOMAS M

LOCKHART, THOMAS M

BECK, TERESA

RANCK, ROBERT B JOINT TRST

JOHNSEN, DAVID C & FRANCES R

ANTCZAK, VAL R

STAEHR, AMY M & SUSANNE K

MAY, JACK R & CAROL LVNG TRST

Part F
RG Inc

Part F
RG Inc

22-141 parts

31 32
6 5

T6N, R45E
T5N, R45E

Leigh Creek

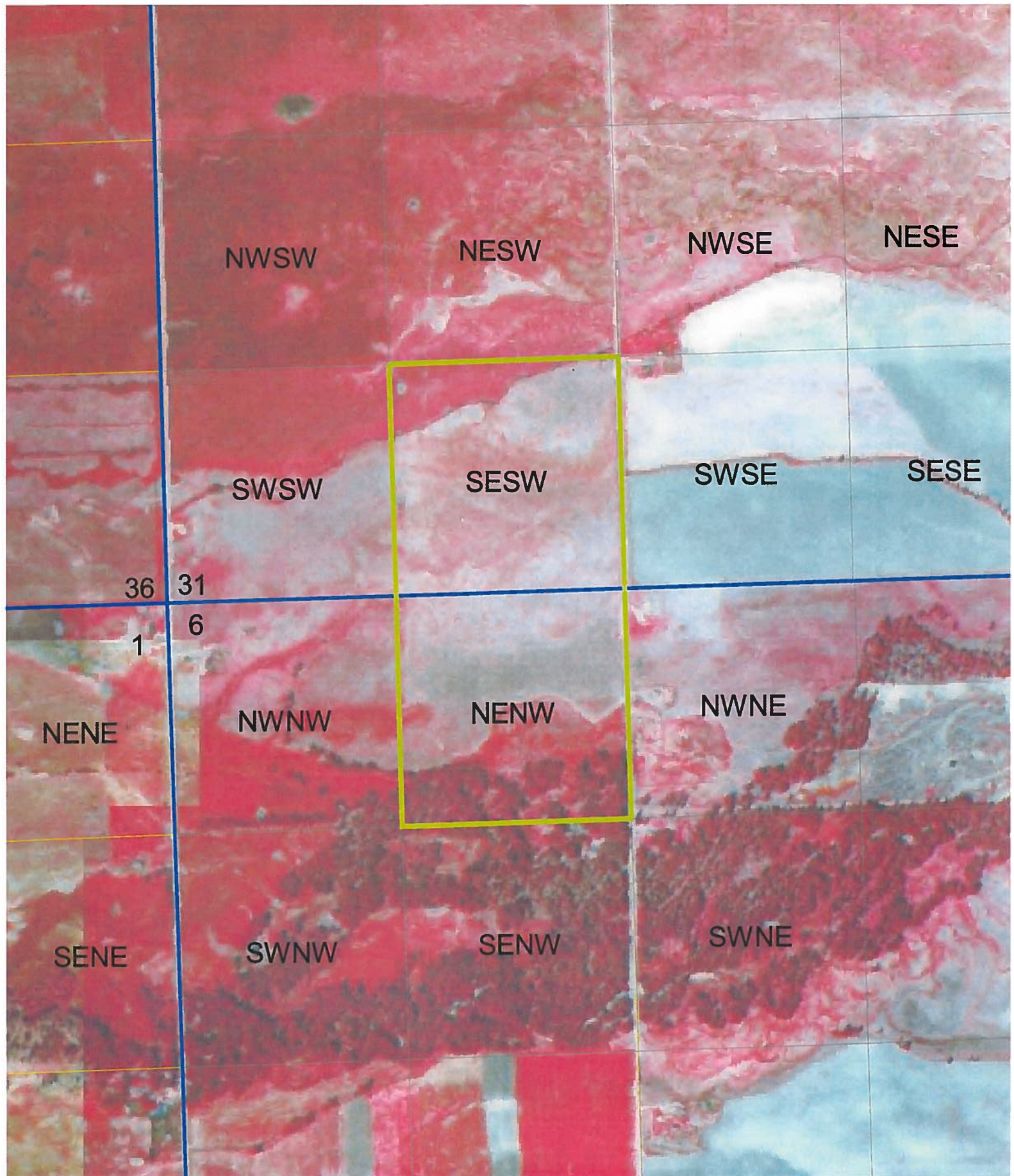
Claim No. 22-441A

Document Checklist

- ☒ Copy License/Decree Dexburg v Teton
- ☐ Copy Transfer
- ☐ Copy Licensing Field Exam
- ☐ Check if Ownership/Address Change is Required
- ☐ Generate, mail and file "Evidence of Priority" letter
- ☒ Generate Arcview Map

212 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	300
For reservoir purposes between the first day of September of each year until the first day of May of the following year	100
213 Gregory, H. J.; June 1, 1903; North Leigh Creek	40
243 Powell, W. J.; June 1, 1903; Trail Creek	4,200
243 Siddoway-Briggs Co.; June 1, 1903; Teton River. For power purposes	100
243 Buxton, Stillman; June 1, 1903; Sloughs from Twin Creeks	40
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	20
243 Nickelson, Peter; June 1, 1903; Swamps	50
243 Thompson & Egbert; June 1, 1903; North Leigh Creek	40
243 Jarman, Arthur; June 1, 1903; South Leigh Creek	100
243 Pherson, Neils; June 1, 1903; South Leigh Creek	280
246 Kunz, Samuel, Jr.; July 31, 1903; Pine Creek (permit)	1,680
249 Central Teton Canal Co.; Oct. 31, 1903; Teton Creek	1,250
250 Pack Saddle Reservoir Co.; Jan. 15, 1904; North Fork Pack Saddle Creek	40
251 Wallace, H. A.; Jan. 18, 1904; North Leigh Creek or Spring Creek	50
252 Hansen, E. P.; May 1, 1904; Game Creek	70
253 Moffat, John P.; June 1, 1904; Swamps	100
253 Withrick, Caroline; June 1, 1904; Paradise Springs. The undivided one-fourth of Paradise Springs	60
253 Miller, J. J.; June 1, 1904; Paradise Springs	40
253 Sinclair, Sarah S.; June 1, 1904; Pole Creek and Pine Creek	80
253 Ricks, Wallace; June 1, 1904; North Leigh Creek	110
253 Phillips, L. A.; June 1, 1904; Badger Creek	60
253 Sautter, John G.; June 1, 1904; North Leigh Creek	640
254 Coyle, M. H.; June 15, 1904; Coyle Spring	640
259 Felt, J. G.; Jan. 18, 1905; Badger Creek	590
259 Felt, G. F.; Jan. 18, 1905; Badger Creek	480
259 Felt, Clara V.; Jan. 18, 1905; Badger Creek	500
259 Felt, Albert; Jan. 18, 1905; Badger Creek	150
259 Clawson, Spencer, adminr. Estate of; Jan. 18, 1905; North Leigh or Spring Creek	500
259 Clawson, Spencer; Jan. 18, 1905; North Leigh or Spring Creek	2,500
259 Clawson, B. W.; Jan. 18, 1905; North Leigh or Spring Creek	200
259 Spencer, Clawson & Co. (a corporation); Jan. 18, 1905; North Leigh Creek or Spring Creek	160
259 Rogers, Orson T.; Jan. 18, 1905; Badger Creek	180
259 Little, Edwin S.; Jan. 18, 1905; Leigh Creek	100
259 Taylor, Joseph E.; Jan. 18, 1905; North Leigh or Spring Creek	100
259 Garrett, Mary G.; Jan. 18, 1905; North Leigh or Spring Creek	80
264 Soulecy, C. V.; June 1, 1906; Darby Creek	15
Crandall, H. L.; no date; waters of Crandall Springs	40
Stahn, Emil A.; no date; Juanita Springs	900
Andrews, L. W.; no date; waters of Springs on place	
Pack Saddle Reservoir Co.; no date; South Fork of Pack Saddle Creek	

22-441A



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: A22-00441A
Date Received: 7/11/1988
Receipt No: E000680
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: TIBBITTS PRODUCE CO 208-745-8181
Address: C/O WAYNE E OR ERROL TIBBITTS
RT 3 BOX 212
RIGBY ID 83432

2. Date of Priority: JUN 1, 1903

3. Source: SOUTH 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	45E	33	SW	NE	SW		TETON

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		
STOCKWATER	04/15	10/15	0.030		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 70 HEAD OF RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	6	NE	NW	3	IRR	20.0

MICROFILMED
NOV 06 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
06N	45E	31	SE	SW	IRR	30.0
					Section Acres	30.0
					Total Acres	50.0

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:
22-0440. 22-00141A

14. Remarks:
THIS CLAIM REFLECTS CURRENT USE OF THIS WATER RIGHT.
*THIS RIGHT ORIGINALLY NUMBERED A22-00441. RENUMBERED 5-17-96 GT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET A
vs Decree Defendant

MICROFILMED
NOV 06 1996

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

RENUMBERED TO A22-00441A

Ident. Number: ~~A22-00441~~

Date Received: 7/11/1988

Receipt No: E000680

Received By: EB

5-17-96

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEILS PEHRSON
Address:

N/A, ID N/A

AND/OR

Name: TIBBITTS PRODUCE CO.
Address: C/O WAYNE E. OR ERROL TIBBITTS
RT. 3 BOX 212
RIGBY, ID

208-745-8181

83432

A2200441A

2. Date of Priority: JUN 01, 1903

3. Source: SOUTH 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	45E	33	SW	NE	SW		TETON

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		
STOCKWATER	04/15	10/15	0.030		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 70 HEAD OF RANGE CATTLE

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NOV 06 1988

A22-00441

Page 1

Date: 07/11/88

MICROFILMED
NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	6	NE	NW	3	IRR	20.0
						Section Acres	20.0
06N	45E	31	SE	SW		IRR	30.0
						Section Acres	30.0
						Total Acres	50.0

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:

22-0440. 22-00141A

14. Remarks:

THIS CLAIM REFLECTS CURRENT USE OF THIS WATER RIGHT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO. ET AL

Decree Plaintiff

vs

TETON IRR. CANAL CO. ET A

Decree Defendant

MICROFILMED

NOV 06 1992

MICROFILMED

NOV 05 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: 1

For Organizations:

I do solemnly swear or affirm that I am President of Idaho Producers Inc. that I have signed the foregoing document in the space below as President of Idaho Producers Inc. and that the statements contained in the foregoing document are true and correct.

Sharon E. Tschetter
Signature of Authorized Agent

Idaho Producers Inc.
Title and Organization

July 11 / 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of July 19 88

Deena Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994

MICROFILMED
NOV 06 1988

MICROFILMED
NOV 05 1992

