

11/30/2006

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

RIGHT NUMBER: 22-462

NAME AND ADDRESS: DALE R ROBSON
1110 N HWY 32
FELT ID 83424

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION:

T06N R45E S8 NWSENE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.200 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R45E S06 Lot 2 NWNE	37.00	T07N R45E S31 Lot 4 SWSW	22.00
T07N R45E S31 Lot 5 SESW	20.00	T07N R45E S31 Lot 6 SWSE	10.00

89 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 89 acres in a single irrigation season. Combined Right Nos.: 22-50, 22-462, 22-463, and 22-667.

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 Ricks Canal.

12/01/2006

**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: 22-462

DALE R ROBSON

1110 N HWY 32

FELT ID 83424

Telephone Number: (208)456-2861

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: 12/6/06 SIGNATURE: Dale R. Robson

Please print your name: _____

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

KMD
12/17

Idaho Department of Water Resources



SRBA Recommendation:

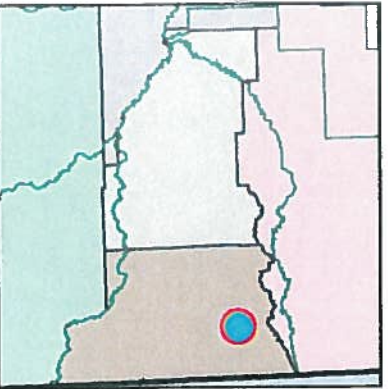
22-50

22-462

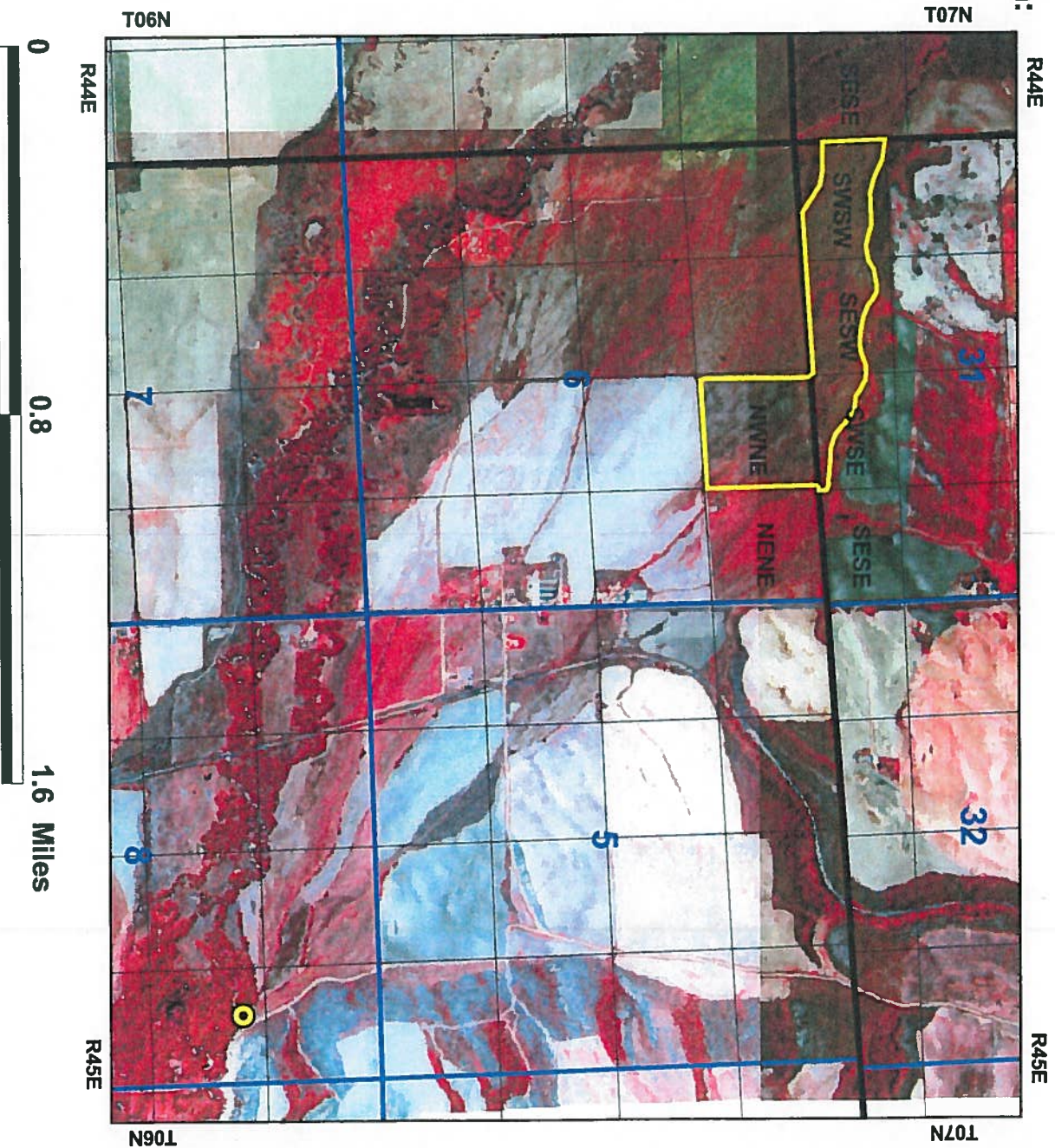
22-667
(Irrigation)

Legend

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

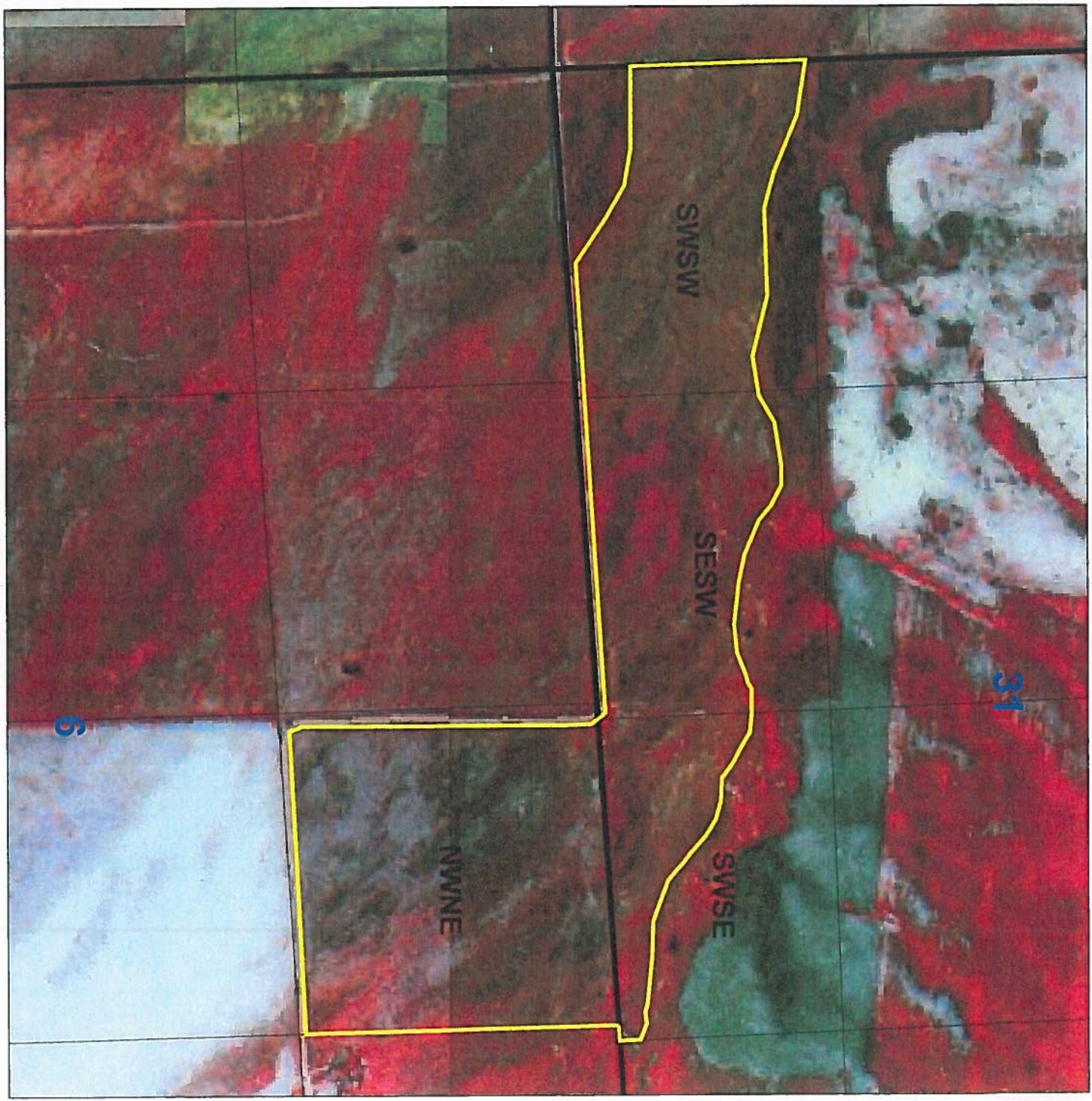


Teton County
IDWR Basin 22



Prepared by K. Moore
On Thursday, November 30, 2006
1987/88 Aerial Photography

22-50
22-462
22-667



Badger
Creek
Canal



Heading for Badger Cr Canal
T6N R4S6 Sec. 3 NESENE
GPS TAG # A0013824

8/10/04
ABR

WR 22-462 and 22-463

These two water rights were decreed to W W Priestly in the Rexburg Decree, 22-462 out of Badger Creek and 22-463 out of Little Badger Creek, a.k.a. Bull Elk Creek. The decreed POU is in question. The acreage in 6N 44E Sec 26 and 35 cannot be irrigated

Twp	Rge	Sec	QQ
6N	44E	26	S/2SW
6N	44E	35	W/2NW
6N	45E	6	NWNE
7N	45E	31	S/2SW, SWSE

out of Badger Creek or Bull Elk Creek. It is located just on the west side of the Teton River about a mile away from the decreed sources and unable to be irrigated by the latter. No one has claimed any other portions of these two water rights. Dale Robson claims the full rights of both. Because there is no evidence that anyone

transferred the water from the two questioned sections to a more realistic POU, recommending the full quantity of water to Robson.

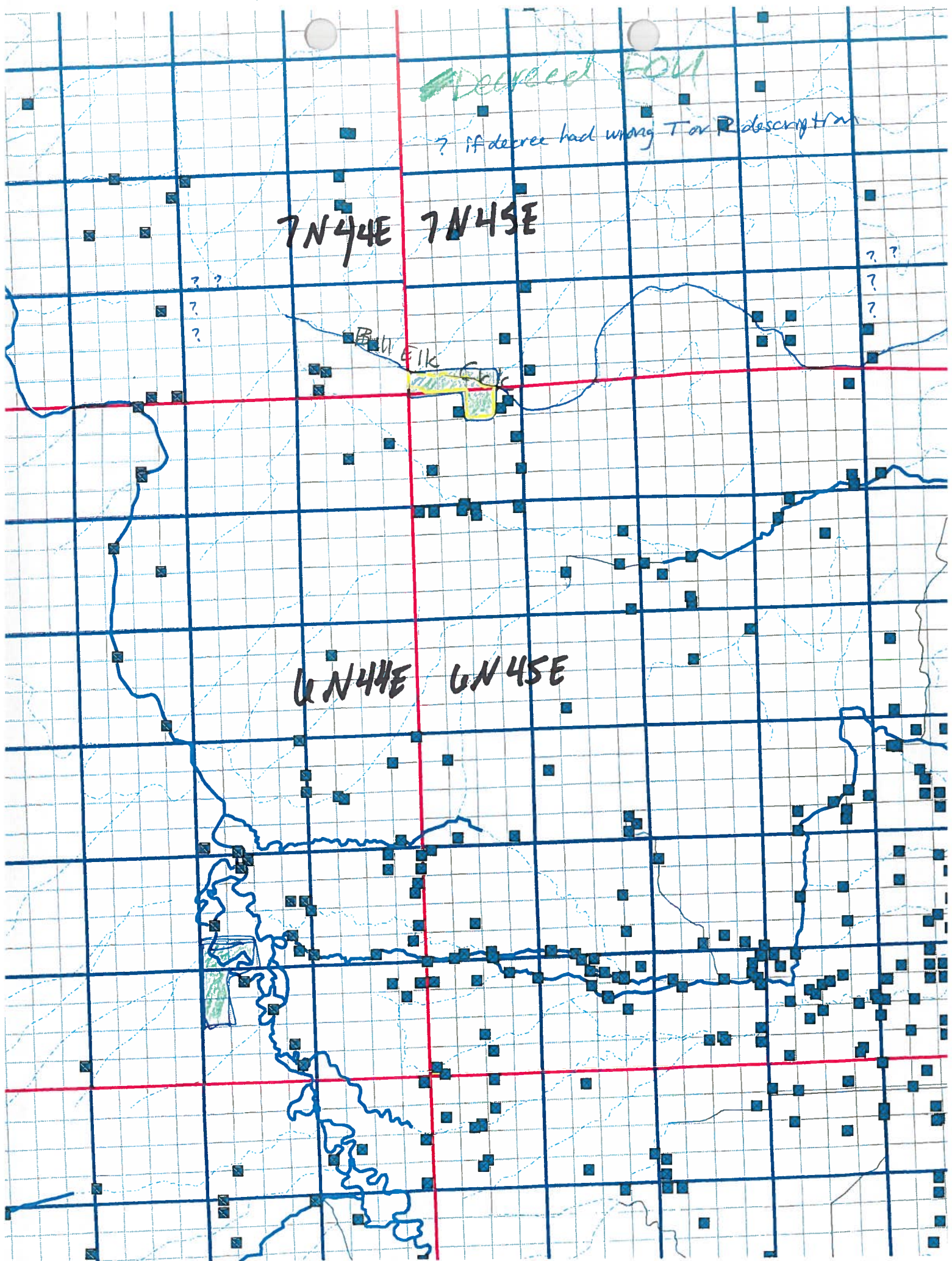
Decree 501

? if decree had wrong T or R description

7N44E 7N45E

Elk Creek

6N44E 6N45E



02/11/05

This shape covers two Township/Ranges so
it is saved under 22-462 and 22-462x

Shape also overlaps w/ 22-50, 22-667

and partially with 22-463.



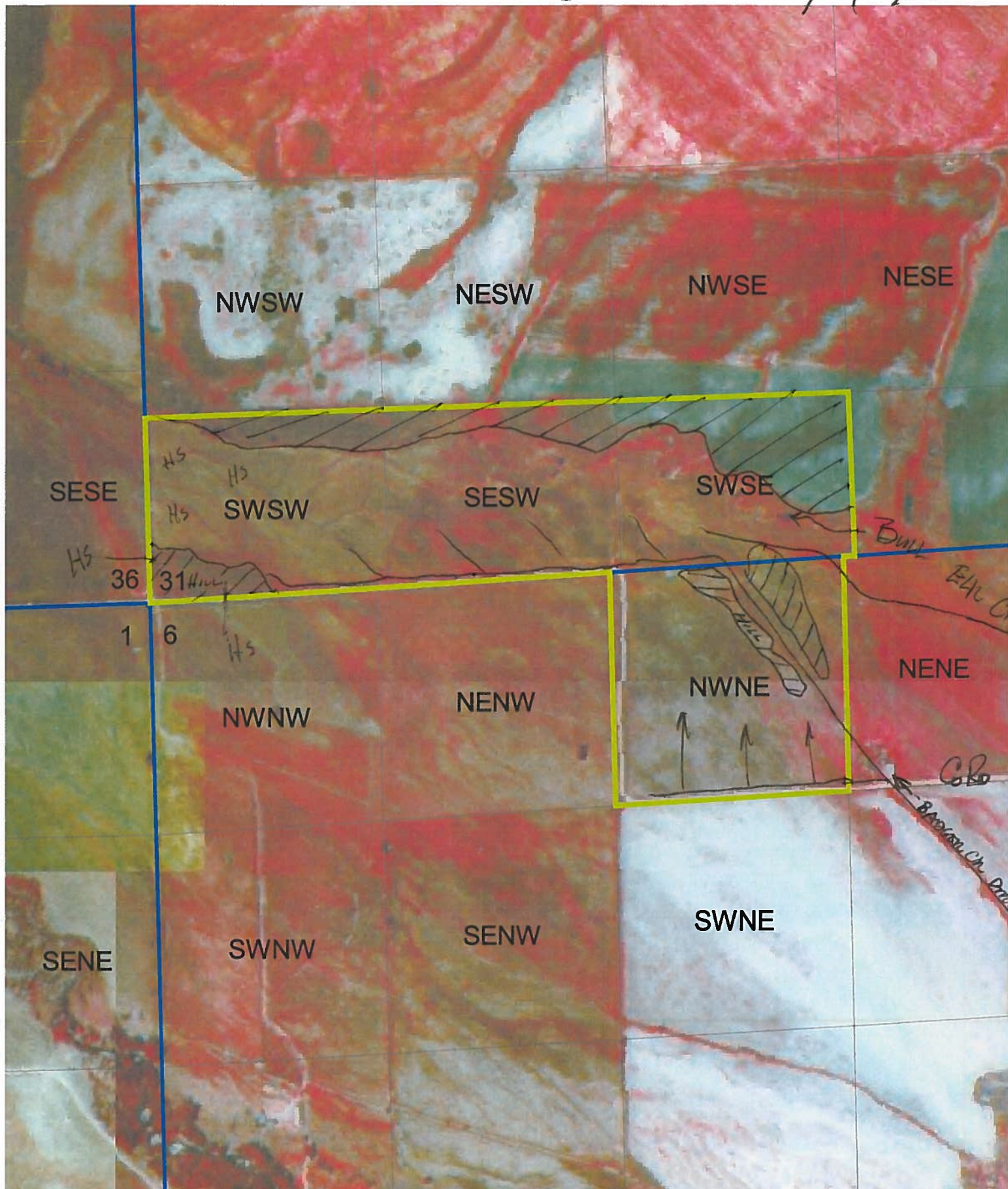
DALE ROBSON NOV. Rts Snow
BAGGON CH AND BULL EYE CK.

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	60
174 Kirsley, Edwin N.; July 15, 1898; Pine Creek	80
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	75
180 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	100
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	110
183 Nordval, C.; May 26, 1899; Darby Creek	30
184 Pherson, Neils; June 1, 1899; South Leigh Creek	80
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	75
184 Parker, B. F.; June 1, 1899; Fox Creek	80
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek	60
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soulecy, 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	35
184 Price, J. W.; June 1, 1899; Teton Creek	60
184 Rouché, Jacob; June 1, 1899; North Leigh Creek	160
184 Rouché, W. W.; June 1, 1899; Badger Creek	100
184 Rouché, Jacob; June 1, 1899; North Leigh Creek	75
184 Hendrickson, Milton; June 1, 1899; Badger Creek	70
184 Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	160
184 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	40
184 Bernston, Richard; June 1, 1899; Badger Creek	160
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 Letham, 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
195 Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	220
199 Allen, George W.; May 26, 1900; Mahogany Creek	160
199 Carrington, 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	160
200 Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

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 Sautier, 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 Letham, 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	
215 Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215 Hill Joseph S.; June 1, 1901; Pack Saddle Creek	20
218 Hatch, Lamoine; Sept. 1, 1901; Spring Creek	160
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	40
228 Shirts, Wallace; May 15, 1902; Trail Creek	20
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	40
229 Haden Canal Co.; June 1, 1902; Badger Creek	2,700
229 Rammell, George; June 1, 1902; Badger Creek	980
229 Rammell, C. H.; June 1, 1902; Badger Creek	40
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	3
229 Wood, Frank; June 1, 1902; Badger Creek	160
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	120
229 Morris, Samuel; June 1, 1902; Trail Creek	60
229 Larsen, A. C.; June 1, 1902; Darby Creek	30
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	80
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229 Sheser, William; June 1, 1902; seepage water in springs on place	60
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	150
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	40
241 McNally, Gilbert; May 1, 1903; Trail Creek	120
242 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	40
For reservoir purposes between the 15th day of March until the 15th day of June of each year	

22-462

9/16/04 MMR



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: A22-00462
Date Received: 10/05/1988
Receipt No: E002911
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE R. ROBSON 208-456-2861
Address: 1111 NORTH HWY 32
FELT, ID 83424

2. Date of Priority: JUN 01, 1899

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	8	SE	NE			TETON

5. Description of diverting works:
HEADGATE ON STREAM TO 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	1.200		

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

8. Total consumptive use is 178.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 75 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	6	NW	NE	2	IRR	39.0
Section Acres							39.0



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	45E	31	SW	SW	4	IRR	25.0
			SE	SW	5	IRR	20.0
			SW	SE	6	IRR	5.0
						Section Acres	50.0
						Total Acres	89.0

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:
A22-00463/00667/00050

14. Remarks:

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

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET A
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: -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): Valer Olson Date: Oct 5 88

Date: _____

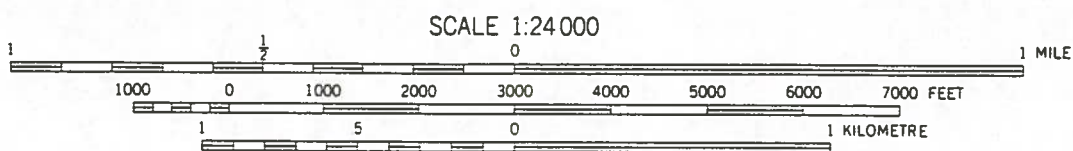
State of Idaho)
County of Bonner Co) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of Oct 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Truckee Falls
My Commission Expires 2/99



A 22-00 462

A 22-00463

A 22-00050

A 22-00667

(22-00282 HAYDEN CANAL)

Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho

MICROFILMED
NOV 05 1992