

12/18/2006

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

RIGHT NUMBER: 22-500C

NAME AND ADDRESS: GLENDA SUE TAYLOR
PO BOX 11
WILSON WY 83014

JAMES MICHAEL TAYLOR
PO BOX 11
WILSON WY 83014

SOURCE: SPRING CREEK

TRIBUTARY: TETON CREEK

QUANTITY: 0.660 CFS

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T04N R45E S2 NENENE Lot 1 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	0.660 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S02 Lot 1 NENE	22.00	T04N R45E S02 Lot 2 NWNE	11.00
--------------------------	-------	--------------------------	-------

33 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

11/26/2006

**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: 22-500C

GLEND A SUE TAYLOR
PO BOX 11
WILSON WY 83014
Telephone Number: (307)733-3166

JAMES MICHAEL TAYLOR
PO BOX 11
WILSON WY 83014
Telephone Number: (307)733-3166

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

reducing out diversion rate from 1.600 CFS to 0.660 CFS

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

Leave out Diversion rate at 1.600 CFS

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

*The proposed recommendation would cut out diversion rate .940 cfs
And there would not be enough flow to sustain property
enclosed are copies of current water rights*

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

SCANNED

DEC 18 2006

*KMJ
12/11*



State of Idaho
DEPARTMENT OF WATER RESOURCES

15 W. Center St. Soda Springs, Idaho 83276

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 18, 2006

JAMES AND GLENDA TAYLOR
P.O. BOX 11
WILSON, WY 83014

REF: Snake River Basin Adjudication (SRBA) Claim 22-500C

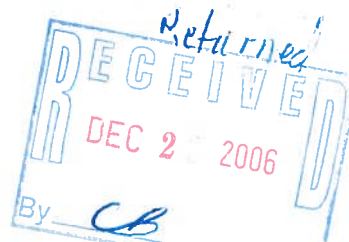
Subject: Notice of Error Reply

Dear Claimant(s):

We received your Notice of Error reply on the above referenced Notice of Claim. Your Notice of Error reply was in reference to the diversion rate recommended to the SRBA court. In the original decree the irrigated ground was decreed at one-inch per acre, which is what your recommendation reflects. Your Notice of Claim to a water right claimed a rate of 1.6 cfs, which is enough water to irrigate 80 acres of ground. If you can provide the Department with evidence to support that you have a right to the 1.6 cfs under your claim then we will consider that evidence. The other ground under this decree is also allowed their inch per acre for their irrigated ground. Yet, you are asking that we recommend their water to you under your right? If you feel that you need more than an inch per acre for irrigation than you need to submit the proper documentation to support that claim and file an additional beneficial use right for the additional water used.

A beneficial use claim must be developed prior to the mandatory permit statute of May 20th, 1971. That means you must be able to prove you diverted and put to "beneficial use" the water prior to May 20th, 1971. You must submit with your claim to water evidence to support your claim along with the proper fees required to file a Notice of Claim to a water right. For your convenience, I've enclosed our brochure on what evidence is acceptable when filing your claim. Along with the evidence of when the water was put to beneficial use you will also need to submit documents to prove that you need more than one-inch per acre.

I did notice that the season of use under your Preliminary Recommendation was April 15-October 15. It should be the full season of use so it has been updated on your recommendation to the court to the full season of use: April 15 to October 31.



Enclosed is your new Preliminary Director's report showing the full season of use. If you have any questions please don't hesitate to give me a call at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

Enclosure(s): Preliminary Director's Report on 22-500C
Evidence of Priority brochure.



State of Idaho
DEPARTMENT OF WATER RESOURCES

15 W. Center St. Soda Springs, Idaho 83276

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 18, 2006

JAMES AND GLENDA TAYLOR
P.O. BOX 11
WILSON, WY 83014

REF: Snake River Basin Adjudication (SRBA) Claim 22-500C

Subject: Notice of Error Reply

Dear Claimant(s):

We received your Notice of Error reply on the above referenced Notice of Claim. Your Notice of Error reply was in reference to the diversion rate recommended to the SRBA court. In the original decree the irrigated ground was decreed at one-inch per acre, which is what your recommendation reflects. Your Notice of Claim to a water right claimed a rate of 1.6 cfs, which is enough water to irrigate 80 acres of ground. If you can provide the Department with evidence to support that you have a right to the 1.6 cfs under your claim then we will consider that evidence. The other ground under this decree is also allowed their inch per acre for their irrigated ground. Yet, you are asking that we recommend their water to you under your right? If you feel that you need more than an inch per acre for irrigation than you need to submit the proper documentation to support that claim and file an additional beneficial use right for the additional water used.

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Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure(s): Preliminary Director's Report on 22-500C
Evidence of Priority brochure.

11/26/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-500C

GLEND A SUE TAYLOR

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Telephone Number: (307)733-3166

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

reducing out diversion rate from 1.600 CFS to 0.660 CFS

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

Leave out Diversion rate At 1.600 CFS

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

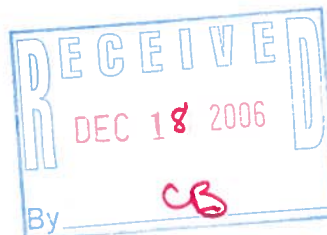
*The proposed recommendation would cut out diversion rate .940 cfs
and there would not be enough flow to sustain property
enclosed are copies of current water rights*

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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



*KMJ
12/11*



Idaho Department of Water Resources

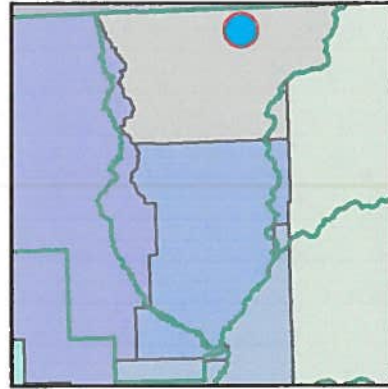
SRBA Recommendation:

22-500C

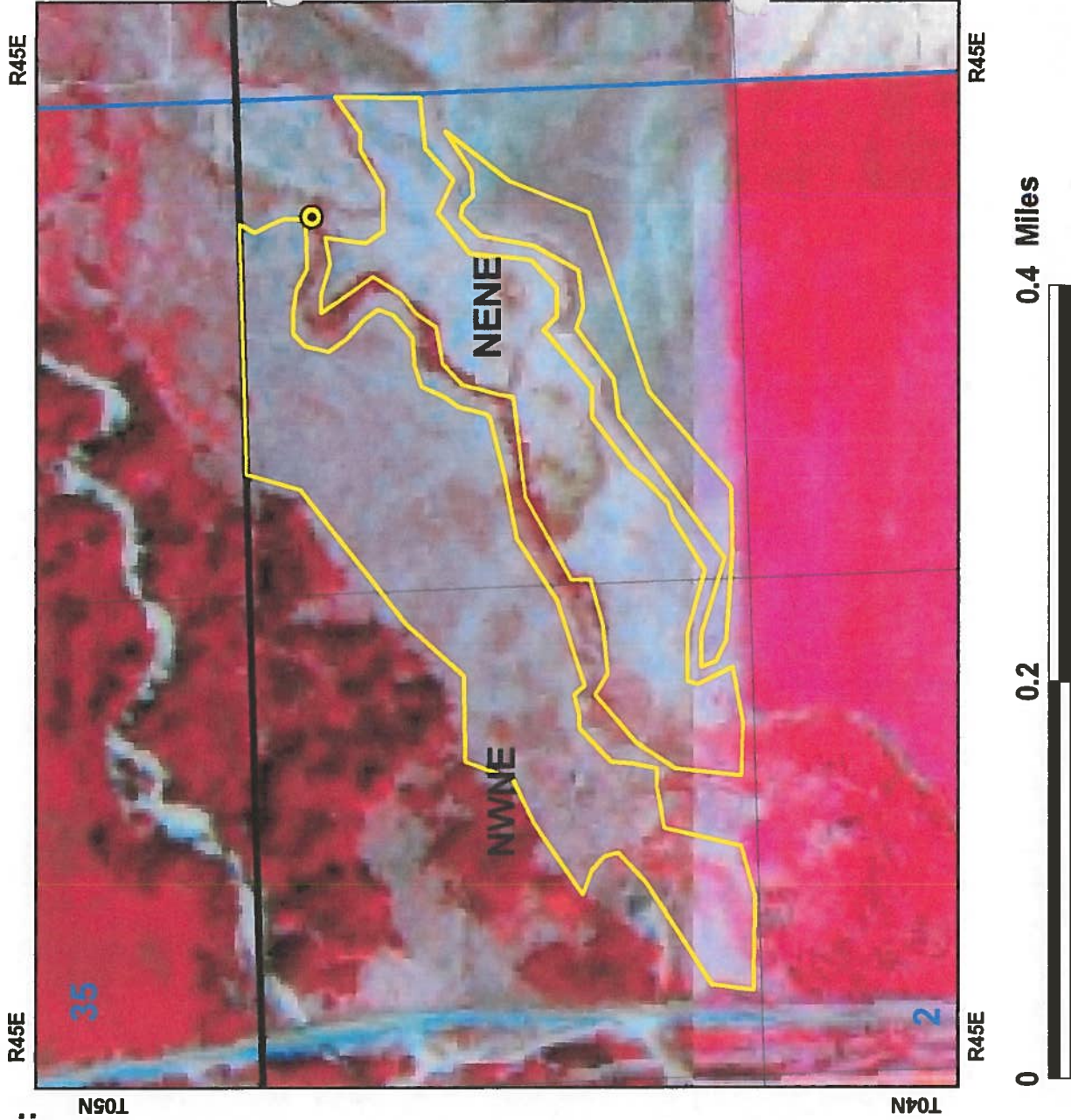
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by C. Bird
On Wednesday, November 22, 2006
1987/88 Aerial Photography

DD

6/12/06

There is an error in PDU description.
Instead of 4N 45E Sec 2 NWSE,
the property is 4N 45E Sec 2 NWNE.

I got this info from county assessor's
office.

Claim No. 22-500C

Document Checklist

☒ Copy License/Decree

Bexburg 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

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

6/12/06
DD

Did contact Taylor's residence but was unable to talk to Michael.

Claim Number: _____

Claimed Priority Date: June 1 1984 Claimed Basis: Discovered

Recommended Priority Date: _____ Recommended Basis: _____

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

Document the evidence submitted/reviewed for the priority case claimed, include your name.

P. O. matches Daccse

Date: _____

Water Right No(s). _____

GPS DATA:

Tag # _____ Location: _____

Diversion Data:

Source: Spring Creek Trib to: Teton Creek

MOTOR

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

PUMP

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

NOTES:

There is not a clear PDD. Spring Creek runs through
the middle of the property. There are some old swales &
old ditches that haven't been used in a long time.

Field Exam Date: 6/13/05 & 6/12/06 Agent: EO

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.Water Right Point of Diversion: T 5N, R 46E, Sec. 31, _____, NW SW, County: TetonSource: Spring crk Tributary to: Teton River.

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
<u>4N</u>	<u>45E</u>	<u>2</u>	<u>1</u>	<u>NENE</u>	<u>Teton</u>	<u>Spring crk</u>	<u>Teton River</u>

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? C.P.S. Tag

Transfers Pending or approved: _____

Document how the POD and Source were verified:

6/12/06
DO

Currently there is not a clear POD. It appears that dams have been placed in Spring Creek at numerous points to flood irrigate. The Creek is a narrow stream 3-4' wide in most places.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
Total acres								

Recommended Place of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
					Total acres			

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

Q0
6/12/06
6/13/05

Document how the POU was verified.

I did a field exam twice on this property because there was development on the property to the north of this ground and the stream was being channeled away from this ~~land~~ ground.

In June of 06 Spring Creek was running high, but there was no irrigation taking place except where water was overflowing the creek's banks.

There are some old ditches in place, but there are no maintained ditches.

It does appear that irrigation takes place by placing dams in the creek itself at various spots.

Reviewer: _____ Date: _____

ams in the creek using as various water
ver: _____ Date: _____ Acreage that is irrigated is more
like 20 acres in NENE and 8 acres in NWNE,

Season of Use and Quantity Data Entry Form

Claim Number: 22 00500CWater 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
Irrigation	4/15	10/15	1.6	

Overall Diversion Rate 1.6

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

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

IDWR. STO. SOU. 4/15 - 10/31

Reviewer: _____

Date: _____

8000	300	50	8,000
300			
25	25		
25			
260			
60			
80			
30			
290			
1,325			
160			
168			
200			
80			
160			
120			
280			
112			
140			
80			
150			
40			
20			
20			
160			
160			
95			
55			
80			
620			
3,000			
500			
80			
115			
237			

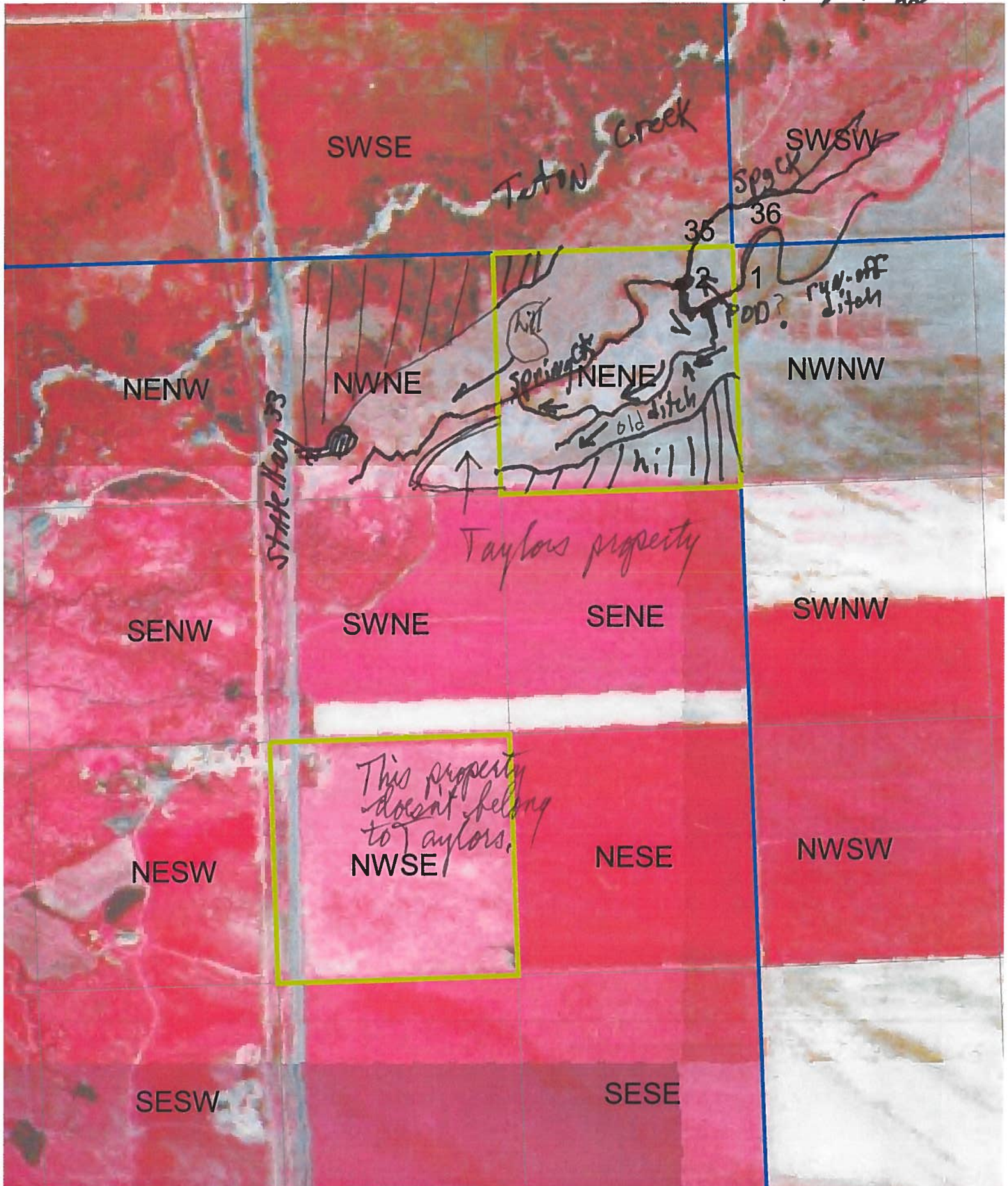
Rexburg Irrigation
VS
Teton Irrigation

DEC. 13 1910

82	Rice, Ed.; Apr. 1, 1890; Trail Creek	160
82	Curtis, Nahum; Apr. 1, 1890; Trail Creek	160
82	Blanchard, John; Apr. 1, 1890; Trail Creek	160
82	Eynon, John; Apr. 1, 1890; Trail Creek	80
85	Paul, John; June 1, 1890; Springs on land	15
85	Paul, William H.; June 1, 1890; Little Springs and Deep Creek	60
85	Jenkins, William; June 1, 1890; Fox Creek	80
85	Kimball, R. C., and A. L.; June 1, 1890; Fox Creek	110
85	Lawson, B. G.; June 1, 1890; Spring Creek	140
85	Murphy, G. M.; June 1, 1890; Darby Creek	150
85	Smith, C. M.; Jan. 1, 1890; Darby Creek	160
85	Walton, D. O.; June 1, 1890; Darby Creek	140
85	Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring Creek	135
85	Yearsley, H. C.; June 1, 1890; Spring Creek	240
85	Drake, Richard; June 1, 1890; Patterson Creek	160
85	Chelsey, John P.; June 1, 1890; Paul Spring Creek	200
85	Grove Creek, Deep Creek and Little Spring Creek	85
85	Byrne, Michael; June 1, 1890; Fox Creek	80
85	Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks	10
85	Beezley, Ebenezer, and J.; June 1, 1890; Fox Creek	80
85	Andrews, L. W.; June 1, 1890; Grove Creek	120
85	Durney, P. S.; June 1, 1900; Trail Creek	15
85	Foot, Arthur L.; June 1, 1890; Mahogany Creek	145
85	Ferguson, John; June 1, 1890; Grove Creek and Willow Spring Creek	100
85	Eames, William; June 1, 1890; Spring Creek	150
85	Edelfson, E. B.; June 1, 1890; Leigh Creek	155
85	Drake, Lavina; June 1, 1890; Boquat Creek and Drake Creek	160
88	Drake, William; July 1, 1890; Mahogany Creek	150
90	Tonks, William H.; July 15, 1890; Trail Creek	135
92	Curtis, Clarissa A.; Sept. 1, 1890; Trail Creek	160
96	Rice, A. L.; Jan. 1, 1891; Patterson Creek	160
98	O'Brien, James A.; June 1, 1891; North Leigh Creek	100
98	Siddoway-Briggs Co.; June 1, 1891; Teton River. (For power purposes)	2,600
98	Sinclair, D. R.; Adminr. Estate of Fred Sinclair (deceased); June 1, 1891; Eynon Ditch	20
98	Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Crandall Springs	100
98	Shaw, L. C.; June 1, 1891; Ragder Creek and water from springs on T. A. Phillips' land	100
98	Swanner, Samuel; June 1, 1891; South Leigh Creek	120
98	Hubbard, Susan; June 1, 1891; North Leigh Creek and Middle Leigh Creek	150
98	Harrop, Samuel; June 1, 1891; Leigh Creek	200
98	Hill, Mary Ann; June 1, 1891; Pack Saddle Creek	120
98	Clark & Houghton; June 1, 1891; Teton River	160
98	Dewey, George A.; June 1, 1891; Fox Creek	160
98	Barney, Walter; June 1, 1891; South Leigh Creek	160
98	Bowles, Sarah; June 1, 1891; Spring Creek	100
98	Blamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Phillips; June 1, 1891; Badger Creek and springs on land of T. A. Phillips	640
98	ion, Noah C.; June 1, 1891; Leigh Creek	40
98	way Irrigation & Manufacturing Co.; July 1, 1891; Teton River	300

22-500C

6/13/05 *80*



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: **A22-00500C**
Date Received: 9/20/1988
Receipt No: M001365
Received By: _____

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

1. Name: JAMES MICHAEL TAYLOR 307-733-3166
Address: PO BOX 11
WILSON WY 83014

OR

Name: GLENDA SUE TAYLOR 307-733-3166
Address: PO BOX 11
WILSON WY 83014

2. Date of Priority: JUN 1, 1886

3. Source: SPRING CREEK Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	2	NE	NE	NE	1	TETON

5. Description of diverting works:
OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 66.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	2	NE	NE	1	IRR	25.0

MICROFILMED

NOV 06 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	2	NW SE	2	IRR	8.0

Section Acres 33.0

Total Acres 33.0

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:
THIS CLAIM REPRESENTS A PORTION OF RIGHT #22-00500A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs 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): _____ Date: _____
_____ Date: _____

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 A22-00500C

Ident. Number: A22-11759

Date Received: 9/20/1988

Receipt No: *MO01365*

Received By: *EMC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES MICHAEL TAYLOR 307-733-3166
Address: P.O. BOX 11
WILSON, WY 83014

OR

Name: GLENDA SUE TAYLOR 307-733-3166
Address: P.O. BOX 11
WILSON, WY 83014

2. Date of Priority: JUN 01, 1886

3. Source: SPRING CREEK Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	2	NE	NE	NE	1	TETON

5. Description of diverting works:
OPEN DITCH.

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IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 66.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-11759

Page

1

NOV 06 1988

MICROFILMED

NOV 06 1990

MICROFILMED

NOV 06 1992

A2200500C



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	2	NE	NE	1	IRR	25.0
			NW	SE	2	IRR	8.0
Section Acres							33.0
Total Acres							33.0

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:
THIS CLAIM REPRESENTS A PORTION OF RIGHT #22-00500A.

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

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

MICROFILMED
NOV 06 1990

~~MICROFILMED~~
~~NOV 06 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): James Michael Doyle Date: 9-20-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of September 19 88

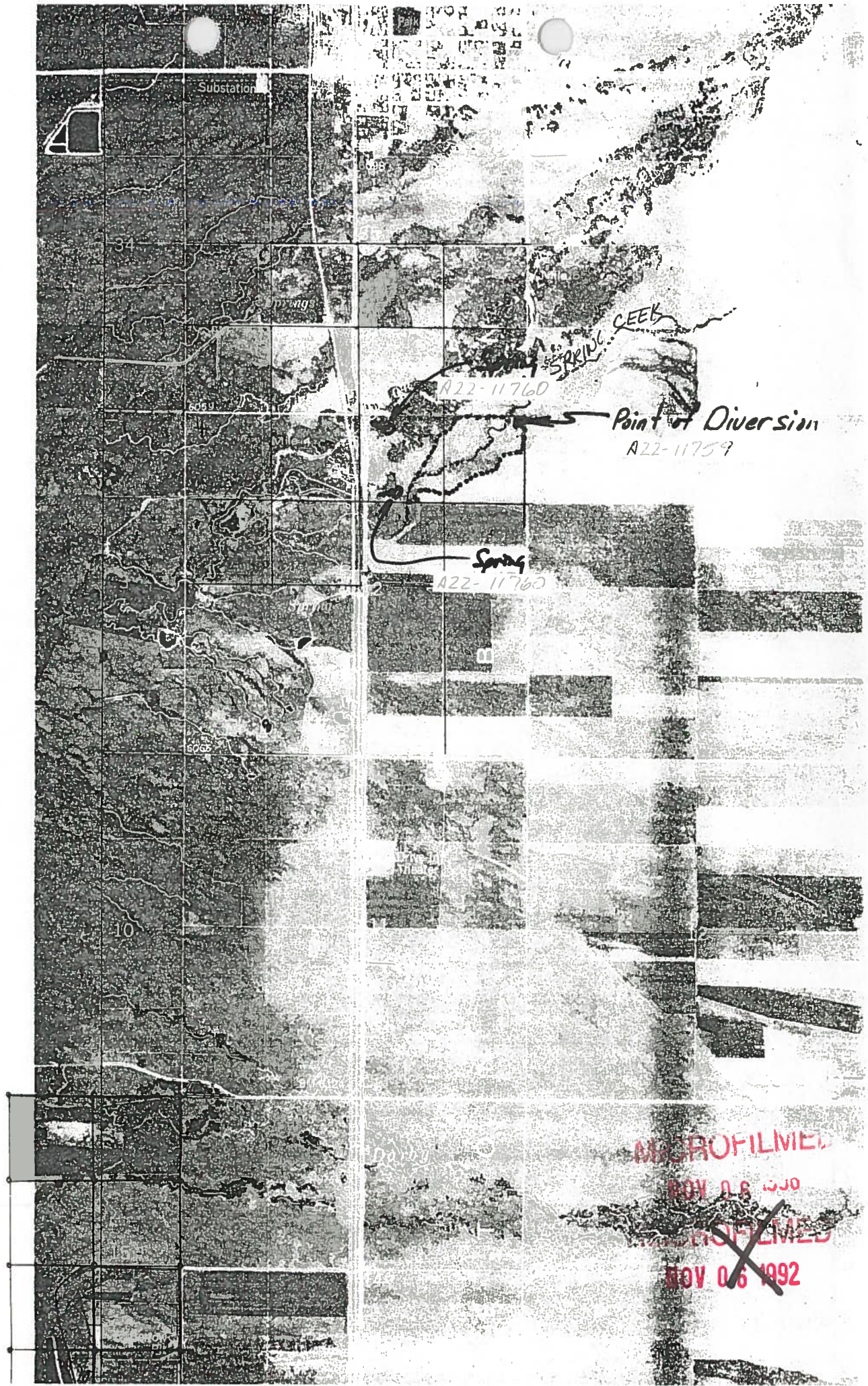
Anthony S. Olenichak
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 9/12/1994

MICROFILMED
NOV 06 1996

MICROFILMED
NOV 06 1992



MICROFILMED

NOV 06 1990

~~MICROFILMED~~

~~NOV 06 1992~~