

07/18/2006

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

RIGHT NUMBER: 22-502B
NAME AND ADDRESS: KENDALL SMITH
219 W HWY 33
TETONIA ID 83452

KIM A SMITH
219 W HWY 33
TETONIA ID 83452

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.900 CFS
PRIORITY DATE: 06/01/1890
POINT OF DIVERSION:

T06N R45E S33 NENE Within TETON County
T06N R45E S34 NWNENW 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	0.900 CFS

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S33 NENE 15.00 T06N R45E S33 NWNE 30.00

45 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Shaw Ditch for the section 34 diversion.

02/11/2005

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: 22-502B

KENDALL SMITH
219 W HWY 33
TETONIA ID 83452
Telephone Number: (208) 456-2354

KIM A SMITH
219 W HWY 33
TETONIA ID 83452
Telephone Number: (208) 456-2354

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

T 6N 4SE 33 ~~NE NE~~ for 45 acres
34 NW NE NW

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

ID # A22-11420 Civil Case # 39576
State of ID 8/29/88
Twin Falls, Co.

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

my copy reads as above

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

DATE: 6/20/05

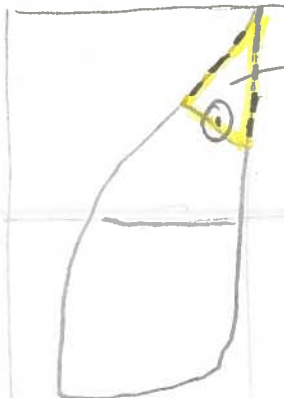
SIGNATURE:

Kendall O. Smith

Please print your name:

KENDALL O Smith

IDWR Regional Office,



includes this area
for 45 ac. total
90.0 ac/annum

RECEIVED

JUN 30 2005

Department of Water Resources
Eastern Region

02/11/2005

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

RIGHT NUMBER: 22-502B
NAME AND ADDRESS: KENDALL SMITH
219 W HWY 33
TETONIA ID 83452

KIM A SMITH
219 W HWY 33
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.900 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:
T06N R45E S33 SWNE Within TETON County
T06N R45E S34 NWNE 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	0.900 CFS

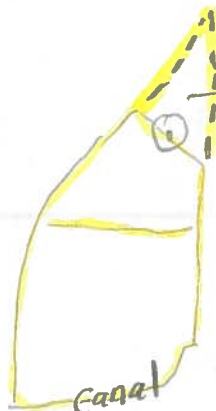
PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S33 NENE 12.0 T06N R45E S33 NWNE 28.0

40 ACRES TOTAL *45 acres*

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



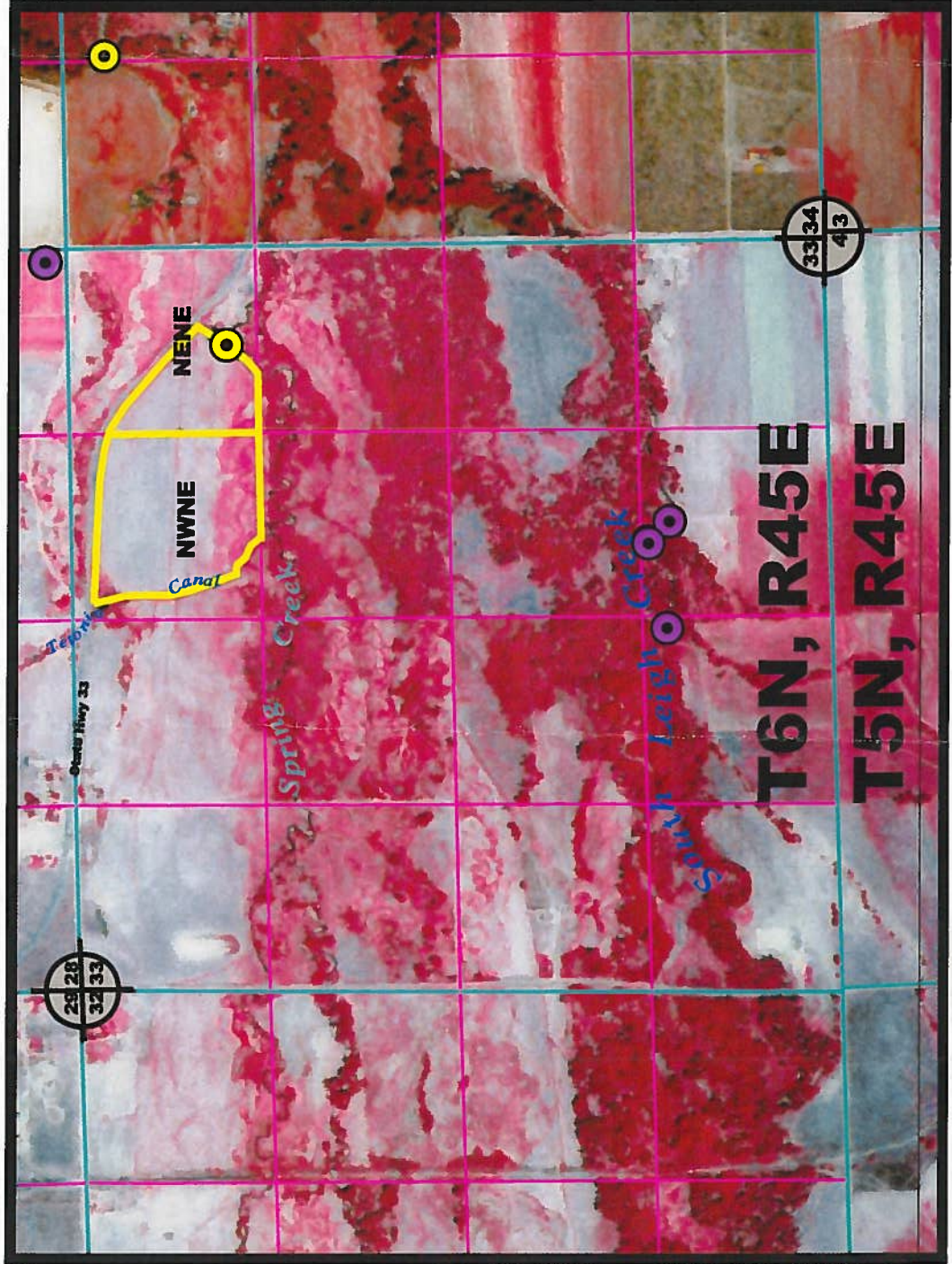
*should include
this area
45 ac total*



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s): 22-502B

Point(s) of Diversion:

T6N, R45E
Sec. 33 SWNE
Sec. 34 NWNENW

Place of Use: (parts of)

T6N, R45E
Sec. 33 N2NE

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





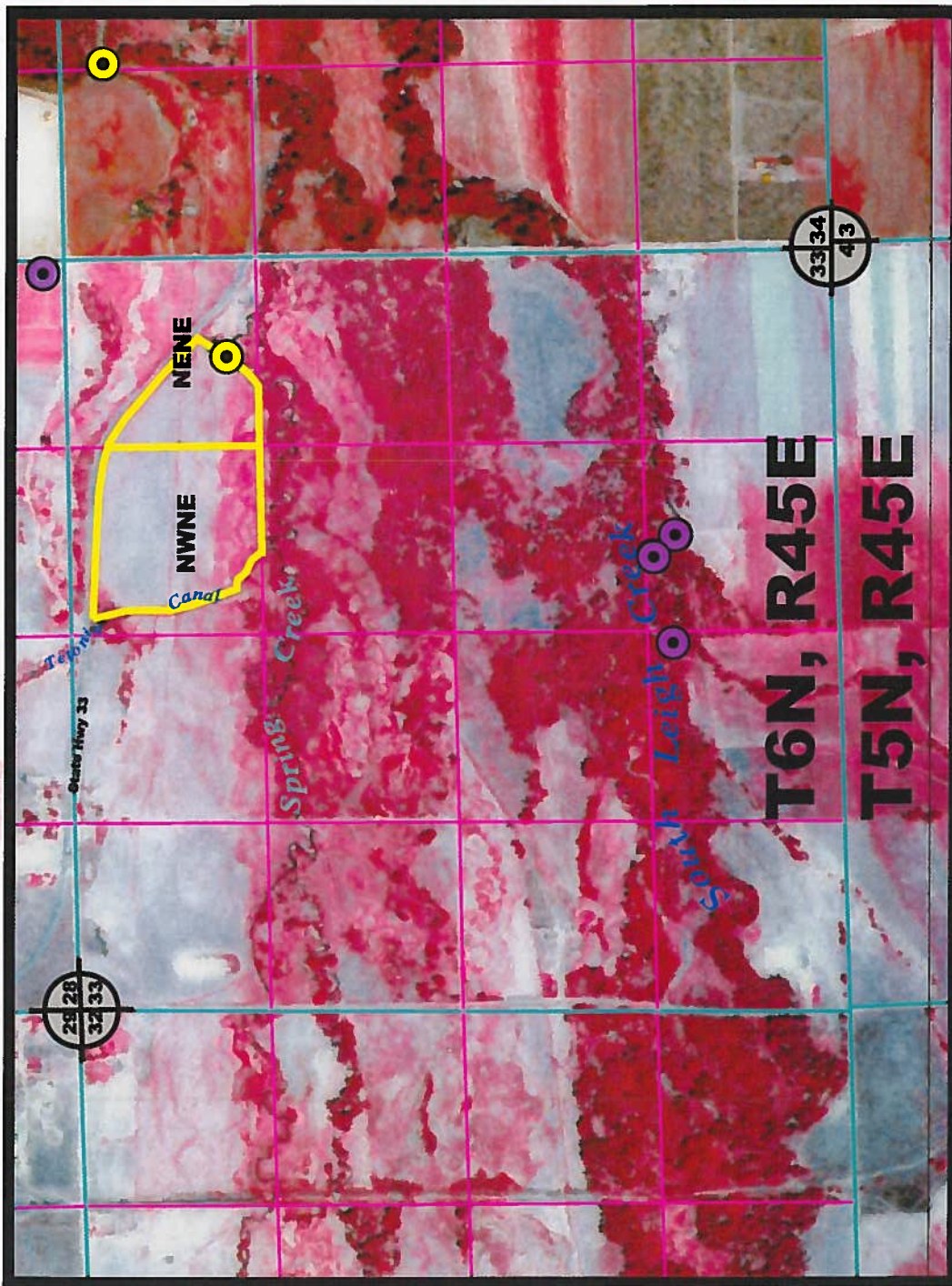
State of Idaho

Department of Water Resources

Eastern Region

SCANNED

MAR 17 2005



Water Right(s): 22-502B

Point(s) of Diversion:

T6N, R45E
Sec. 33 SWNE
Sec. 34 NWNENW

Place of Use: (parts of)

T6N, R45E
Sec. 33 N2NE

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAAPP Photography
Prepared by: A. Ruberry
Date: February 2005





Soc. 33
T6N., R. 45E

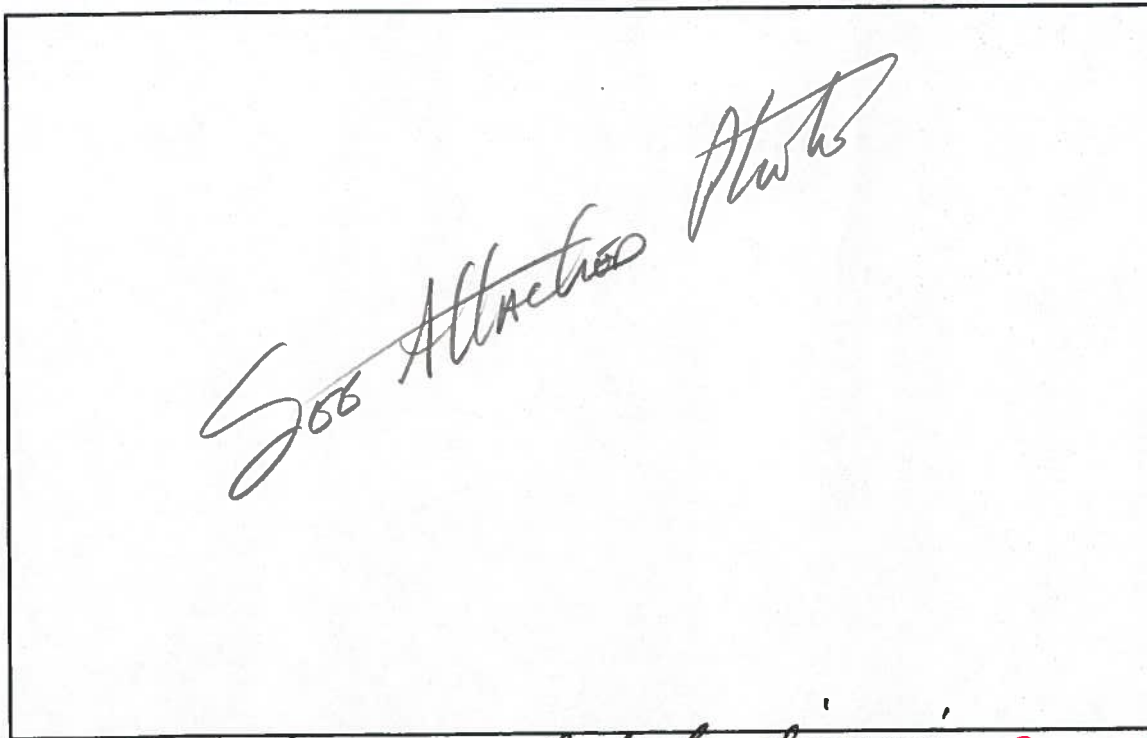
Kendall Smith pump on Spring Creek
Tagon electric panel.

TAC# A0613843

PROFIT

SCANNED
MAR 17 2005

Water Right No(s). _____



GPS DATA: A0013852

Rock by diversion Sec. 34

No Photo?

Tag # A0013843

Location: Electric panel

Sec. 33

Diversion Data:

Source: Spring Creek

Trib to: Teton River

MOTOR

no markings on motor - (small electric motor)

Make: _____

Model: _____

Hp: 20

SN: 2KI-0461

PUMP

Make: Kelly

Model: _____

Disch: _____

SN: _____

NOTES:

There are 2 PDD for this claim - one is for a pump that is in Spring Creek.
Diversion 2 is in Sec 34 and is the same as 502

Field Exam Date: 8/04/04

Agent: DD

PROFILED

SCANNED

MAR 17 2005

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:8/4/04
DD

Field exam showed that the acreage claimed can be irrigated either by ditch or by sprinklers.

Field Exam Showed 2 P.O.D. A Head Gate in Sec. 34 AND A pump and Sprinkler. That Divert 1/4 To Sec. 33

Reviewer: _____ Date: _____

PROFILED

SCANNED

MAR 17 2005

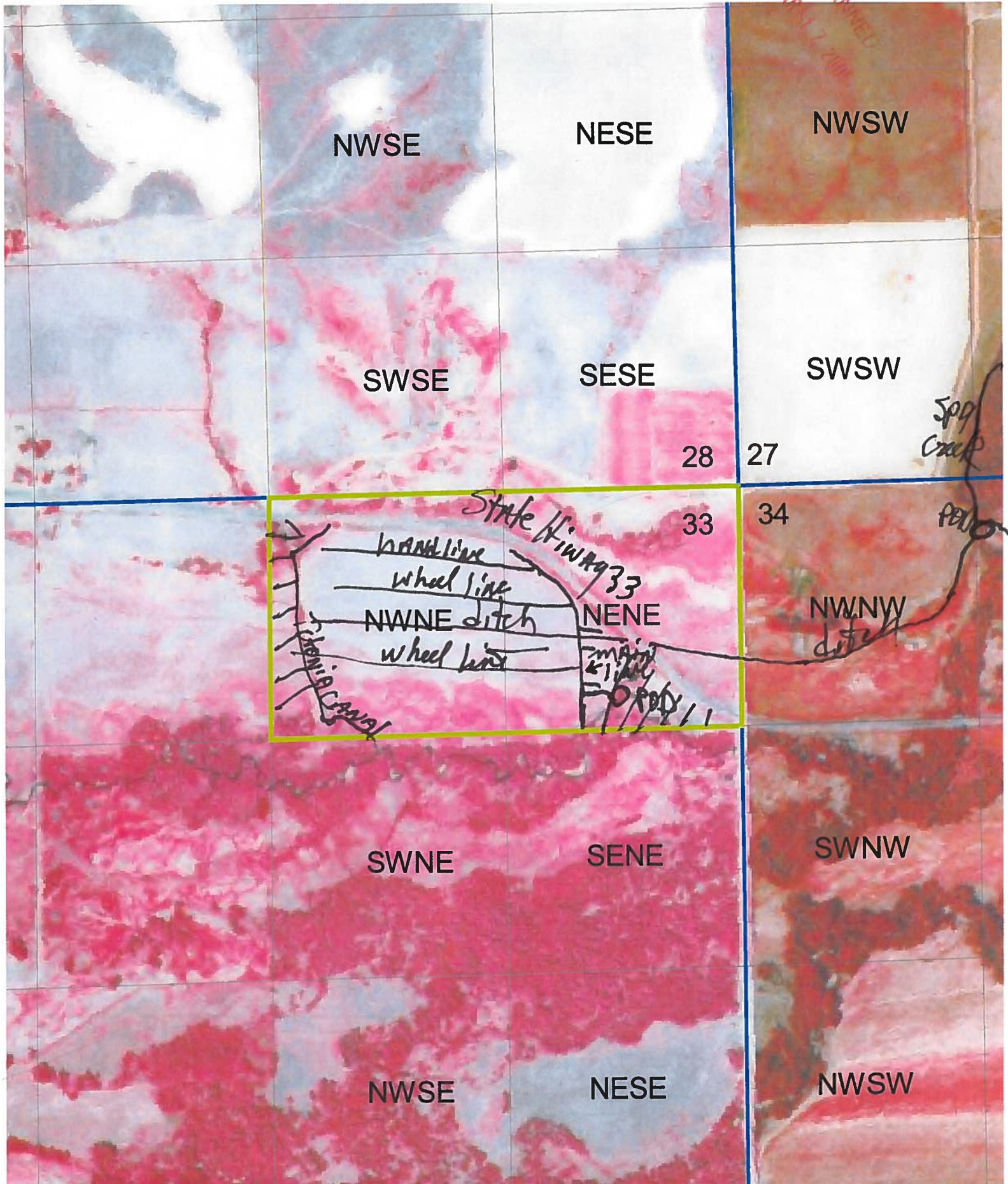
hour, E. B.; June 1, 1886; Spring Creek	50
ve, Martin L.; June 1, 1886; Moody Creek	50
To be reduced to 25 inches after June 20th of each year	25
ve, Martin L.; June 1, 1886; Teton River	25
ve, Martin L.; June 1, 1887; North Leigh Creek	25
also Swamp Creek for a late right	260
rowman, John; June 1, 1887; Wood Creek and Springs	60
pson, Hans J.; June 1, 1887; Bigler Slough	80
eged, Victor; Sept. 1, 1887; Horse Shoe Creek	30
eged, Victor; June 1, 1888; Horse Shoe Creek	290
orth Salem Agricultural & Milling Canal Co.; Teton River	1,325
As a high water right until July 1st of each year	160
alters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Mons H. Anderson)	168
William S.; June 1, 1888; Twin Creeks	200
ance, Charles H.; Mar. 15, 1889; Moody Creek	80
To be reduced to 80 inches after June 20th of each year	160
utis, Owen; Apr. 1, 1889; Trail Creek	160
ifle, Zina W.; Apr. 1, 1889; South Leigh Creek	120
ill, William; Apr. 5, 1889; Pack Saddle Creek	280
ortensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch)	112
ates, Thomas; May 3, 1889; Mahogany Creek	140
eezley, Ebenezer, and J.; June 1, 1889; Fox Creek	80
rake, Fred J.; June 1, 1889; John Creek	150
lanchard, John; June 1, 1889; Warm Creek	40
owies, H. C.; June 1, 1889; Spring Creek	140
rake, William; June 1, 1889; Mahogany Creek	10
and, William P.; June 1, 1889; Mahogany Creek	160
ubbard, Frank, and wife; June 1, 1889; North Leigh Creek	150
wanner, Samuel; June 1, 1889; South Leigh Creek	40
valton, D. O.; June 1, 1889; Darby Creek	20
ones, Benjamin; June 1, 1889; Trail Creek	20
lchPherson, Abner; June 10, 1889; North Leigh Creek	160
arsons, F. W.; June 15, 1889; Trail Creek	160
or, George M.; July 5, 1889; Trail Creek	95
George M.; July 15, 1889; Fox Creek	55
hewey, Mary E.; Sept. 1, 1889; Warm Creek, Spring Creek and Deep Creek	80
Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River	620
lexburg Milling Co.; Oct. 1, 1889; Teton River. (Woodmansee-Johnson Ditch.) For power purposes only, and subject to rights of users for agricultural purposes of water through same ditch	3,000
elton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird headgate near the Teton Mill	500
insley, Mary E.; Apr. 1, 1890; Warm Creek; Spring Creek and Deep Creek	80
inclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek	115
Wolf Ditch Co.; Apr. 1, 1890; Teton River	2,335
Robertson, A. I.; Apr. 1, 1890; Trail Creek	87

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	120
82 Eyrton, 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	240
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, Grove Creek, Deep Creek and Little Spring Creek	200
85 Byrne, Michael; June 1, 1890; Fox Creek	85
85 Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks	100
85 Beezley, Ebenezer, and J.; June 1, 1890; Fox Creek	80
85 Andrews, L. W.; June 1, 1890; Grove Creek	120
85 Durrey, P. S.; June 1, 1900; Trail Creek	15
85 Foote, 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	240
85 Edlefson, 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; Eyrton Ditch	20
98 Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Grandall Springs	100
98 Shaw, L. C.; June 1, 1891; Raader Creek and water from springs on T. A. Phillips' land	200
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 Edlefson, Noah C.; June 1, 1891; Leigh Creek	40
100 Siddoway Irrigation & Manufacturing Co.; July 1, 1891; Teton River	300

PROV

22-502B

8/4/04 00
SCANNED
MAR 12 2008



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
AUG 09 2004
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A2200502B</u>				

2. The following REQUIRED information must be submitted with this form:

A. The appropriate FILING FEE. See instructions for fee amounts.

☒ B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

☒ 3. Name and Address of Former Owner/Claimant(s)

H. Wayne and Pearl F. Atchley
211 West Highway 33
TETONIA, Idaho 83452

☒ 4. New Owner/Claimant(s)

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

Kendall O. and Kim A Smith ^{Living} Trust
219 W. Hwy 33, TETONIA, Id 83452
208) 456-2354

☒ 5. Date you acquired the property

Aug 12, 2003

SCANNED
MAR 17 2005

PROFILED

RECEIVED

AUG 13 2003

TETON CO., ID
CLERK RECORDER

156580

Instrument # 156580

DRIGGS, TETON, IDAHO

2003-08-13

02:43:51 No. of Pages: 3

Recorded for: BEARD ST. CLAIR

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED. SPECIAL WARRANTY

Boise

SPECIAL WARRANTY DEED

1. Date

August 12, 2003.

2. Parties

Grantor:

Kendall O. Smith and Kim A. Smith, husband and wife.

Current address:

PO Box 14, Tetonia, Idaho 83452.

Grantee:

KENDALL O. SMITH and KIM A. SMITH, Trustees, or their successors in trust, under the KENDALL AND KIM SMITH LIVING TRUST, dated August 12, 2003, and any amendments thereto.

Current address:

c/o Kendall O. Smith and Kim A. Smith, Trustees, PO Box 14, Tetonia, Idaho 83452.

3. Property

Idaho County: Teton

Transferred interest: Grantor's entire fee simple

Street Address:

219 West Highway 33, Tetonia, Idaho 83452.

Description:

Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 33, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 15 feet, more or less, to the South right-of-way line of State Highway No. 33; thence following along said highway right-of-way line in a Northwesterly direction 176 rods, more or less, to the East Bank of the Tetonia Canal; thence up along said East Canal Bank in a Southeasterly direction 66 rods, more or less, to a point on the East Canal Bank, which point is 14 rods, more or less, North of the South line of the Northwest Quarter of the Northeast Quarter of said Section 33; thence West (crossing the canal) 33 feet; thence South 14 rods, more or less, to the South line of the Northwest Quarter of the Northeast Quarter; thence East along said South line 136 rods, more or less, to the point of beginning.

Together with 45 inches of the waters of North Leigh Creek or Spring Creek, being a portion of the waters decreed to O.W. Shaw property under decree dated June 1, 1890.

FILED

156580

SCANNED
MAR 17 2005

of which the foregoing described piece is a portion thereof, which said original decree appears in Book 11 of the records of Teton County, Idaho, at Pages 23 and 96.

Less, Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 33, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, and running thence North 15 feet, more or less, to the South right-of-way line of State Highway No. 33; thence following along said highway right-of-way line in the Northwesterly direction 400 feet, more or less, that point being the true point of beginning; thence 34 feet South; thence 37 feet West; thence 16 feet North; thence 260 feet West; thence 123 feet North; thence 48 feet East; thence 73 feet North to the South right-of-way line of State Highway No. 33; following along said highway right-of-way line in a Southeasterly direction 306 feet, more or less, to the point of beginning.

Together with all of the interest of Grantors herein in and do that certain well agreement bearing date of the 7th of September 1961, between the following named parties, to-wit: Arthur Rammell, Richard Egbert, Adrian Cook, Clair S. Hanks, Warren Fullmer, Ralph Heileson, Robert Smellie and Russell Rammell, wherein the Grantors herein became and were entitled, subject to the terms and conditions thereof, to a 15% interest in said well.

Together with:

All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

Subject to:

Rights of way for roads and ditches now existing on the property plus all easements and rights-of-way of record, if any, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

Taxes and assessments for 2003 and all subsequent years.

All facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

4. Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5. Grant

Grantors, for the consideration listed above hereby grants, bargains, sells, conveys and confirms to grantee, its successors and assigns, the transferred interest in the property described in this deed.

PROFILE

MAR 17 2005

6. Warranties

Grantors, for themselves, their heirs, successors and assigns, covenants with grantee, it successors, and assigns as follows:

Grantors are currently the owner of the property as described in this deed.

Grantors have good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed or of record.

Grantors and their heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, his heirs, successors and assigns against the lawful claims of all persons.

The warranty in this deed:

1. is limited in this matter to the coverage the grantor(s) have under any policy of title insurance or damages of \$10.00 (whichever is greater) and
 2. is to apply the doctrine of estoppel with respect to after acquired title.
- GRANTOR(S) in this deed are the TRUSTMAKERS (Settlors) of the above Trust.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

Kendall O. Smith
Kendall O. Smith

Kim A. Smith
Kim A. Smith

STATE OF IDAHO)
) ss.
County of Bonneville)

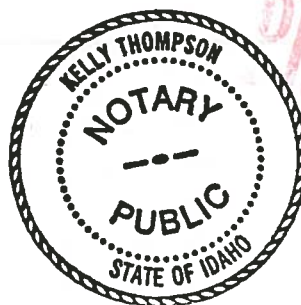
On August 12, 2003, before me, Kelly Thompson, an Idaho notary public, personally appeared Kendall O. Smith and Kim A. Smith, known or identified to me to be the persons whose names are subscribed to this instrument and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certificate first above written.

Kelly Thompson
Notary Public for Idaho
Residing at: Rigby, Idaho
Commission expires: March 12, 2007

MAR 17 2005

3
156580



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: A22-00502B
Date Received: 8/29/1988
Receipt No: E001863
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WAYNE H ATCHLEY 208-456-2237
Address: 211 W HWY 33
TETONIA ID 83452
AND/OR
Name: PEARL F ATCHLEY 208-456-2237
Address: 211 W HWY 33
TETONIA ID 83452

2. Date of Priority: JUN 1, 1890

3. Source: NORTH 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		NE	NE		TETON
		34	NW	NE	NW		TETON

5. Description of diverting works:
HEADGATE/DITCH AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.900		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:

SCANNED

MICROFILMED

MAR 17 2005

NOV 06 1999

PROFILER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	33	NE	NE		IRR	20.0
			NW	NE		IRR	25.0
Section Acres							45.0
Total Acres							45.0

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:

14. Remarks:

TR. 22-0502.

*THIS RIGHT ORIGINALLY NUMBERED A22-11420. RENUMBERED 5-20-96 GT.

15. Basis of Claim: DECREED

Water Right Number: 0502

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs Decree Defendant

MICROFILMED

SCANNED

NOV 06 1990

MAR 17 2005

PROTECTED
11/11/11

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 A22-00502B
Ident. Number: ~~A22-11420~~
Date Received: 8/29/1988
Receipt No: E001863
Received By: TO

5/20/96
GT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE H. ATCHLEY 208-456-2237
Address: 211 W. HWY 33
TETONIA, ID 83452

AND/OR

Name: PEARL F. ATCHLEY 208-456-2237
Address: 211 W. HWY 33
TETONIA, ID 83452

2. Date of Priority: JUN 01, 1890

3. Source: NORTH 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	NE	NE	NE		TETON
		34	NW	NE	NW		TETON

5. Description of diverting works:
HEADGATE/DITCH AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.900		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE



MICROFILMED
NOV 06 1990

A22-11420

Page

1

Date: 08/29/88

PROFIT

SCANNED
MAR 17 2005

MICROFILMED
NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	33	NE	NE		IRR	20.0
			NW	NE		IRR	25.0
Section Acres							45.0
Total Acres							45.0

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:
TR. 22-0502.

15. Basis of Claim: DECREED
Water Right Number: 0502
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

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NOV 06 1988

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SCANNED
MAR 17 2005

~~MICROFILMED~~
~~NOV 06 1988~~

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): Wayne Ritchey Date: Aug 29 1988
Date: _____

State of Idaho

County of Bonneville)
SS.

Subscribed and sworn (or affirmed) before me this 29th day
of Aug. 19 88 Carlson Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

