

12/14/2006

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

RIGHT NUMBER: 22-527A
NAME AND ADDRESS: RICHARD A EGBERT
C/O BRAD EGBERT
1134 BOND AVE
REXBURG ID 83440-1810

SOURCE: SPRING CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.100 CFS
PRIORITY DATE: 06/01/1901
POINT OF DIVERSION:

T06N R45E S33 NWSWNE Within TETON County
T06N R45E S33 NESENE Within TETON County
T06N R45E S33 SENWNW Within TETON County
T06N R45E S33 NESWNW 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	0.100 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S32	NENE	31.00	T06N R45E S32	SENE	20.00
T06N R45E S32	NESE	22.00	T06N R45E S32	NWSE	30.00
T06N R45E S33	SWNW	0.30	T06N R45E S33	SENW	1.00
T06N R45E S33	NESW	17.00	T06N R45E S33	NWSW	19.00

140.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 140.3 acres in a single irrigation season. Combined Right Nos.: 22-133D, 22-191, 22-526A, 22-527A, 22-554B, and 22-555B.

Right Nos. 22-526A and 22-527A are limited to the irrigation of a combined total of 40 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to regulation by the watermaster of Water District No 01.

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 source pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

22-133D

22-191

22-526A

22-527A

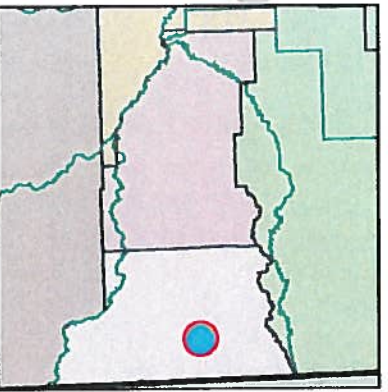
22-554B

22-555B

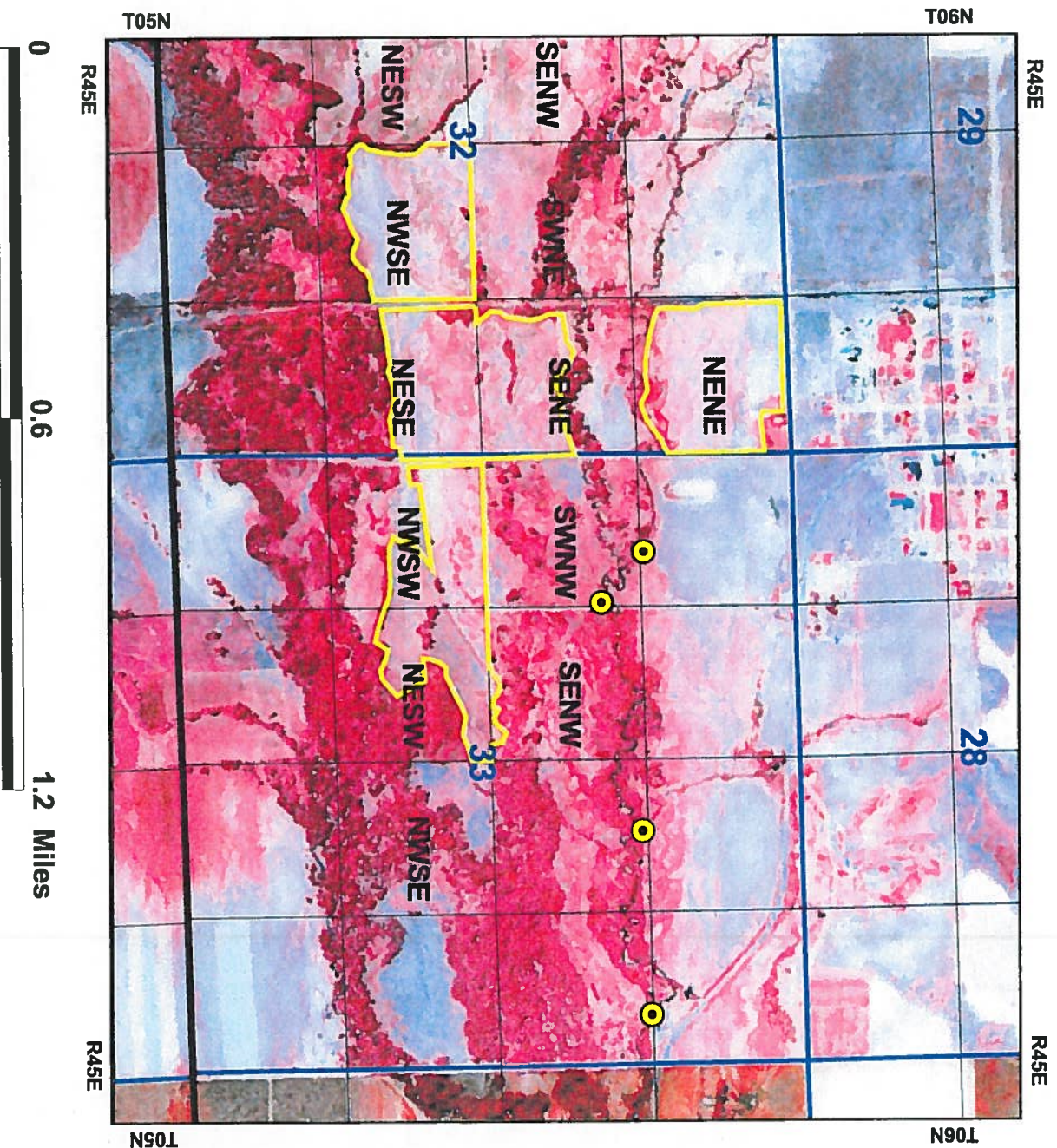
(Irrigation)

Legend

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



Teton County
IDWR Basin 22

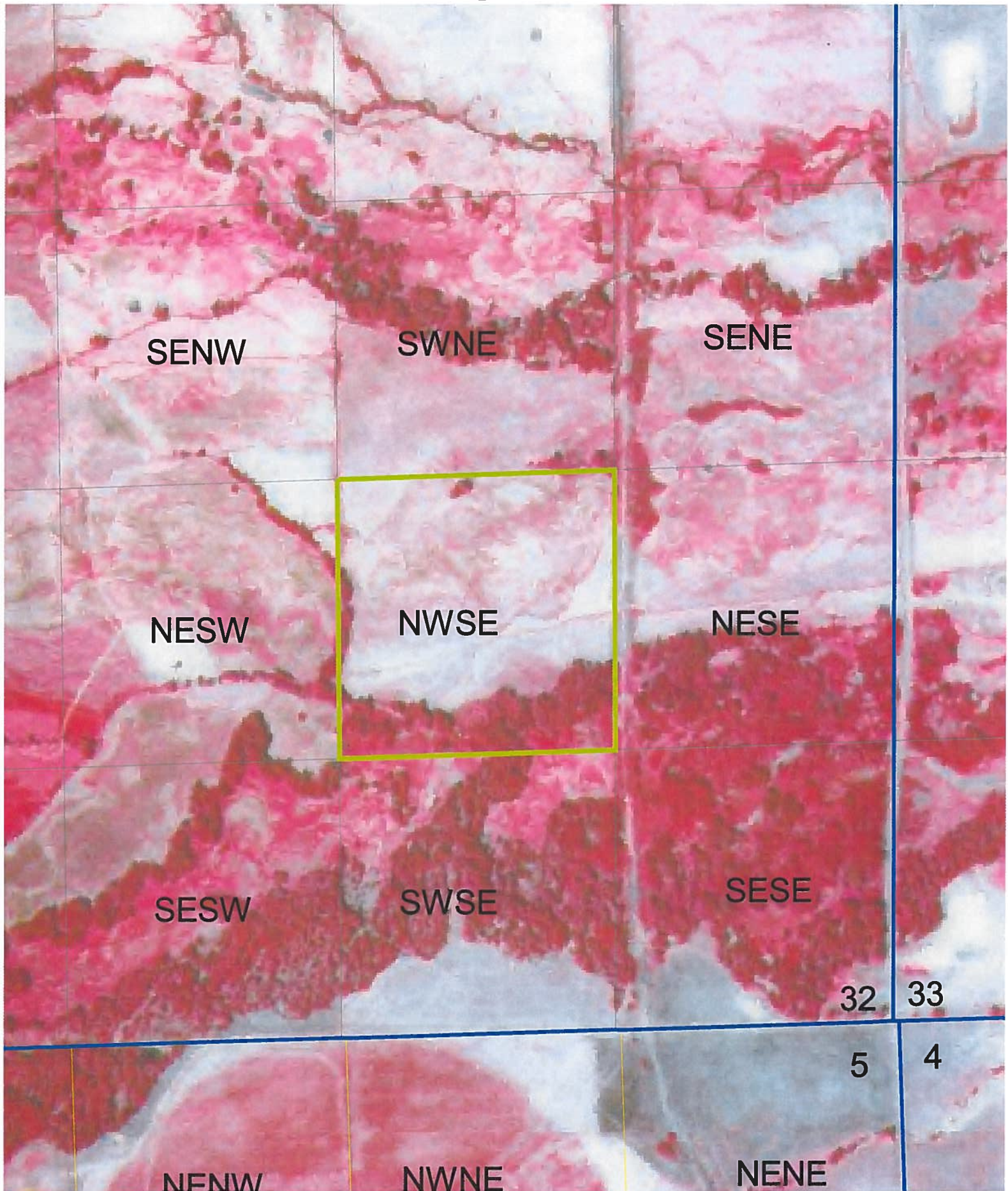


Prepared by K. Moore
On Thursday, December 14, 2006
1987/88 Aerial Photography

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	160
174 Kirsley, Edwin N.; July 15, 1898; Pine Creek	60
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	120
80 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	75
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	100
183 Nordval, C.; May 26, 1899; Darby Creek	110
184 Pherson, Neils; June 1, 1899; South Leigh Creek	30
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	80
184 Parker, B. F.; June 1, 1899; Fox Creek	75
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek	80
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soule, 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	80
184 Price, J. W.; June 1, 1899; Teton Creek	35
184 Rouché, Jacob; June 1, 1899; North Leigh Creek	60
184 Priestly, W. W.; June 1, 1899; Badger Creek	160
184 Rouché, Jacob; June 1, 1899; North Leigh Creek	100
184 Hendrickson, Milton; June 1, 1899; Badger Creek	75
84 Fuller, Buckley; June 1, 1899; North Leigh or Spring Creek	70
184 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	160
184 Bernston, Richard; June 1, 1899; Badger Creek	40
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 Leham, 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	160
199 Allen, George W.; May 26, 1900; Mahogany Creek	220
199 Carrington, Enock; May 26, 1900; Mahogany Creek	160
200 Bush, George W.; June 1, 1900; Fox Creek	120
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 Ricks, 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 Sautter, 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 Leham, 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 Wateman, 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	40
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	930
229 Rammell, C. H.; June 1, 1902; Badger Creek	40
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	30
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	60
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	2,000

22-527A





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

RICHARD A EGBERT
35 W 1ST S
REXBURG ID 83440-1810

Go Brad Egbert

cc: W.A.

KARL J. DREHER
DIRECTOR
RECEIVED
AUG 27 1999

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)
Water Rights - Please See Attached List

Dear Water Right Holder:

*Records changed, NCAP prepared.
as 8-30-99.*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. 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 August 23, 1999. 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 right 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 record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Returned Mail

#####

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

Claimant Signature

Telephone No.

1 Service Requested

RECEIVED
AUG 10 1999
Department of Water Resources

35-07349
RICHARD A EGBERT
PO BOX 9

TETONIA

ID 83452

EGBE009 834522002 1A98 05 08/07/99
RETURN TO SENDER
EGBERT
322 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER

83452X0009



RECEIVED
AUG 10 1999
Department of Water Resources

35-02732
RICHARD A EGBERT
310 EGBERT AVE

TETONIA

ID 83452

EGBE009 834522002 1A98 05 08/07/99
RETURN TO SENDER
EGBERT
322 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER



AJ5811MP
SELECTION FILE: EGBERT

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

TOTAL RECORDS IN SELECTION FILE:

39

22-11922	31-10671	31-10687	31-10686	35-0732	35-07349	35-07933	35-07934	A21-07295
A22-001330	A22-00189A	A22-00191	A22-00526A	A22-00527A	A22-00554B	A22-00555B	A22-00568A	A22-02100A
A22-11912	R31-07083	R31-07084	R31-07103	R31-07104	R31-07105	R31-07106	R31-07107	A22-07279A
R31-07148	R31-07149	R31-07150	R31-07151	R31-07152	R31-07192	R31-07193	R31-07375	R31-07121
								R31-10677

DATE: 08/10/99
TIME: 10:56:21
PAGE: 1

cc: V.A.

Corrected,
Richard
missed

Permit

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: A22-00527A
Date Received: 9/27/1988
Receipt No: 1001456
Received By: ESJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD A. EGBERT 208-456-2645
Address: TETONIA, ID 83452

OR
Name: ALTA P. EGBERT 208-456-2645
Address: TETONIA, ID 83452

2. Date of Priority: JUN 01, 1890

3. Source: SPRING 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	SE	NE		TETON

5. Description of diverting works:
HEADGATES IN STREAM TO CANAL 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	0.100		

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

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

9. Non-irrigation uses:
NONE

A22-00527A

Page 1

Date: 09/27/88

MICROFILMED

OCT 28 1988

A2200527A



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	32	NW SE		IRR	40.0
Section Acres						40.0
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:
22-00526

14. Remarks:

CLAIM REFLECTS CURRENT USE OF WATER UNDER RIGHT. CODING BY IDWR
SHOWING 1901 PRIORITY DATE APPEARS TO BE IN ERROR. ORIGINAL
DECREE DOCUMENTS SHOW PRIORITY DATE AS 1890.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANA. 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 X 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): Richard A. Egbert Date: 9-27-88

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of September 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD A EGBERT	06/01/1890	IRRIGATION	04-15 10-15	0.100 CFS	
C	ALTA P EGBERT				0.100 CFS	
	C/O BRAD EGBERT					
	35 W 1ST S					
	REXBURG ID 834401810					
	(208) 456-2645					
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.100 CFS	80.00 AFA

Tributary to: TETON RIVER

Stage: DECREASED

NESENE

TETON County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: TETON

Non-Irrigation Uses: NONE

Other Rights: 22-00526

Remarks: GEN CLAIM REFLECTS CURRENT USE OF WATER UNDER RIGHT. CODING BY IDARR
SHOWING 1901 PRIORITY DATE APPEARS TO BE IN ERROR. ORIGINAL
DEGREE DOCUMENTS SHOW PRIORITY DATE AS 1890.
1

ADDRESS CHANGE BY CLAIMANT LETTER 8/30/99 SS.

Verified Date:

Objection Filed Date:

Misc: **Water District Number:**

Field Inspection Flag:
Presumption Flag:

