

08/28/2006

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

RIGHT NUMBER: 22-615B

NAME AND ADDRESS: SUSAN EIRICH
PO BOX 368
DRIGGS ID 83422

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: ~~0.600~~ CFS 0.80

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R46E S31 SWNW Lot 2 Within TETON County

T06N R46E S32 NWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.8 / 0.600 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S36	SWNW	6.30	T06N R45E S36	NWSW	29.00
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35.3 ACRES TOTAL

Right Nos. 22-615B and 22-13406 are limited to the irrigation of a combined total of 35.3 acres in a single irrigation season.

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 Desert Ditch for the section 32 pod and through South Beard Ditch for the section 31 pod

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



Idaho Department of Water Resources

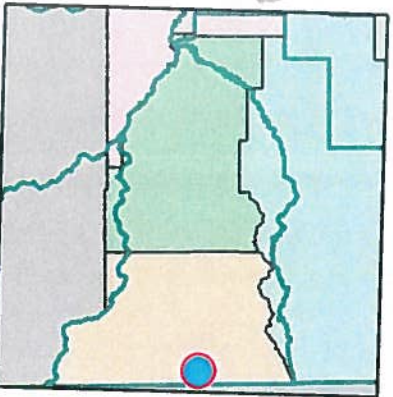
Adjudication Claim:

22-13406

22-615B

Legend

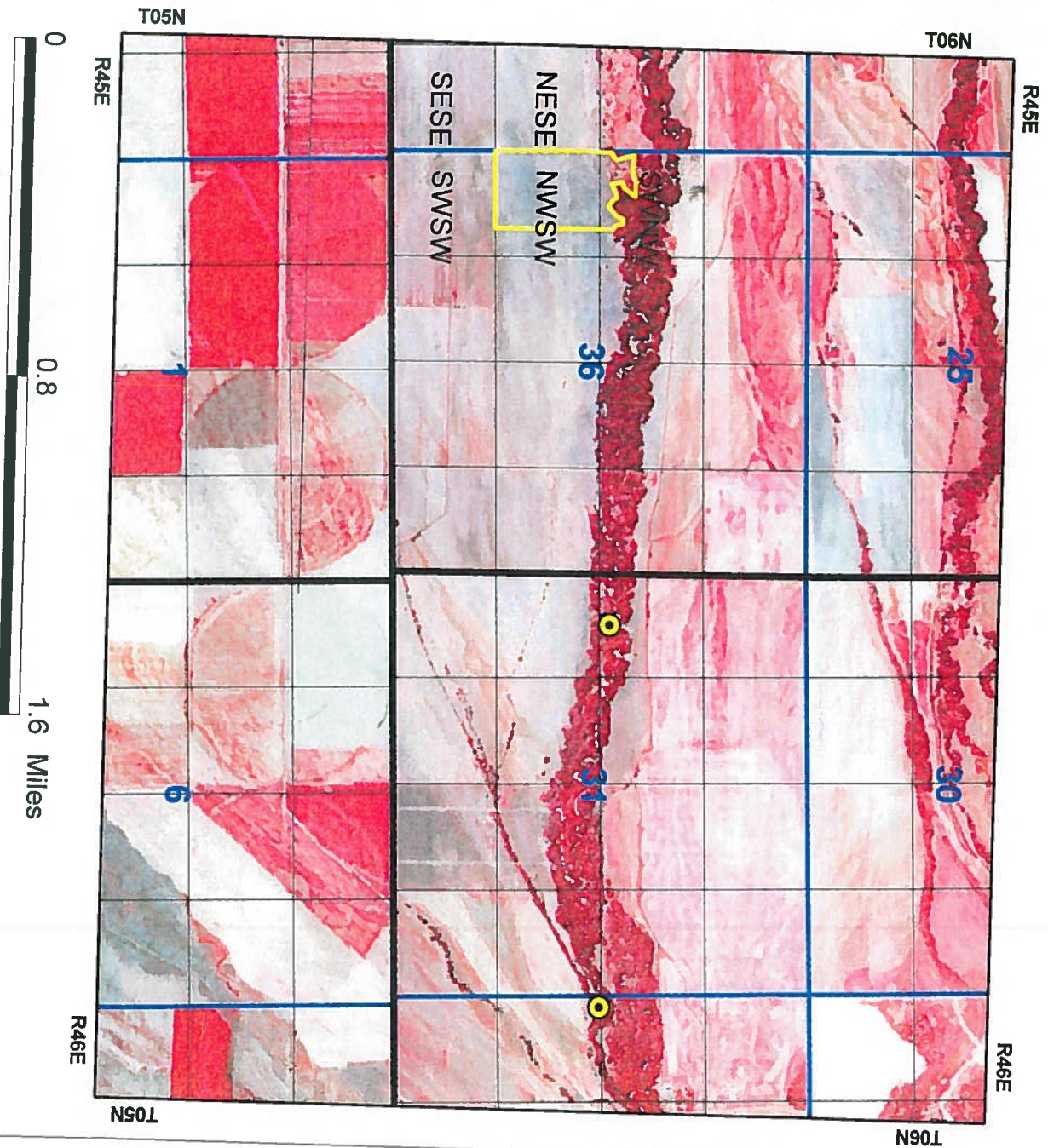
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Monday, August 28, 2006
1987/88 Aerial Photography



22-13406



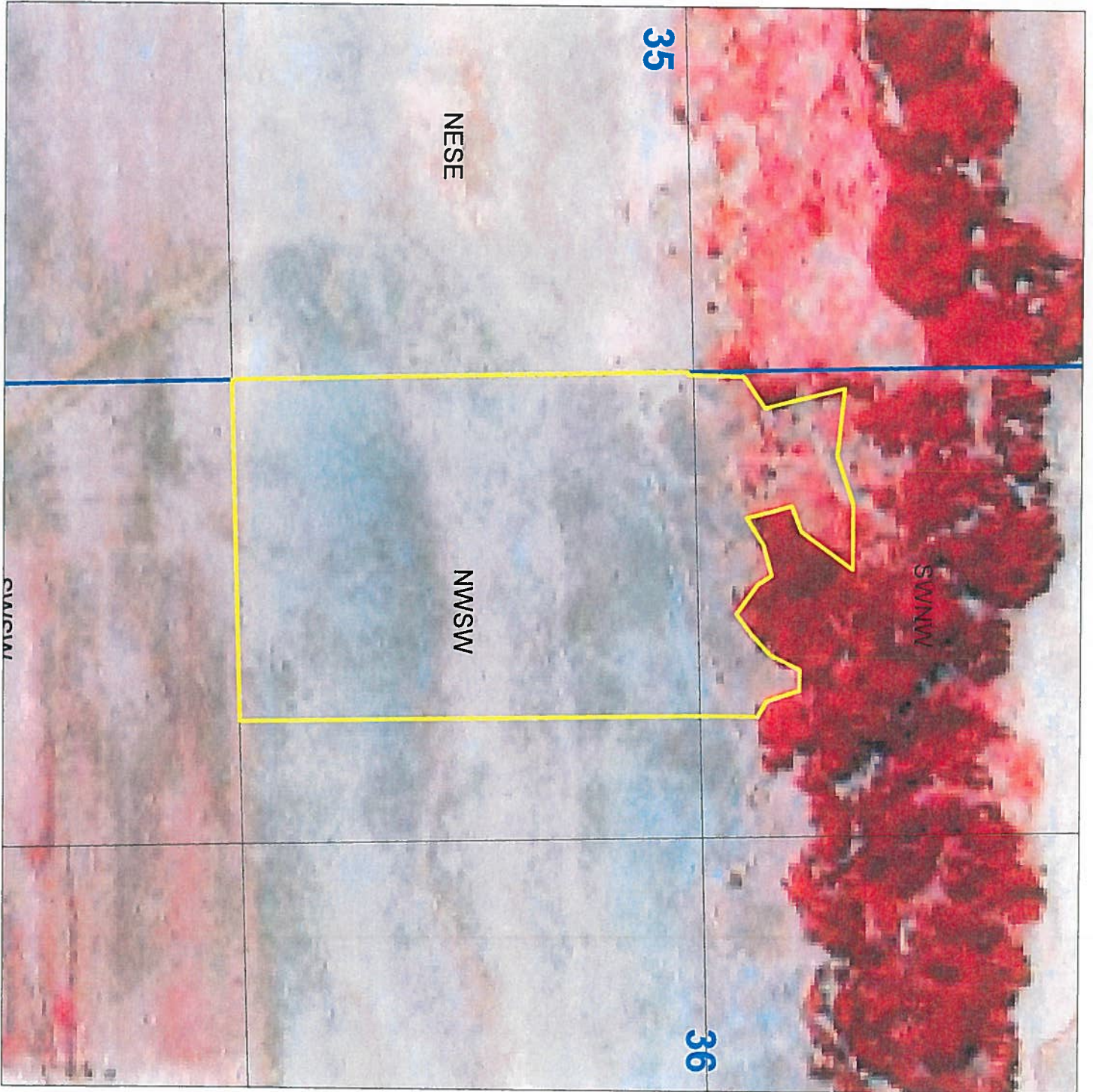
35

NESE

NWSW

SWNW

36



CWA/CWA



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-615B,
22-13406

Point(s) of Diversion:
T6N, R46E
Sec. 32 NWNWSW
Sec. 31 SWSWNW

Place of Use: (parts of)
T6N, R45E
Sec. 36 SWNW, NWSW

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: June 2005





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 19, 2005

Mr. Al Ruberry
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

RECEIVED
OCT 20 2005
Department of Water Resources
Eastern Region

Re: Recommended water rights – Boyd C. Smith

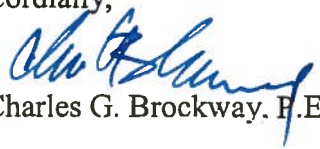
Dear Mr. Ruberry:

Enclosed is an aerial map showing Section 36, T. 6 N., R. 45 E. and a portion of the Teton County Assessor's map for this same section. On the aerial map, property ownership and the extent of the option agreement between Smith and Beard are indicated. Kent Foster previously sent you appurtenant deeds and a copy of the option agreement.

I would request that you utilize this information to recommend water rights 22-13143, 22-13144, 22-13147, and 22-13148 according to ownership in Section 36, so that Mr. Smith's rights will cover only his property and not the option land.

Thank you for your attention to this matter, and please do not hesitate to call if you have any questions.

Cordially,


Charles G. Brockway, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

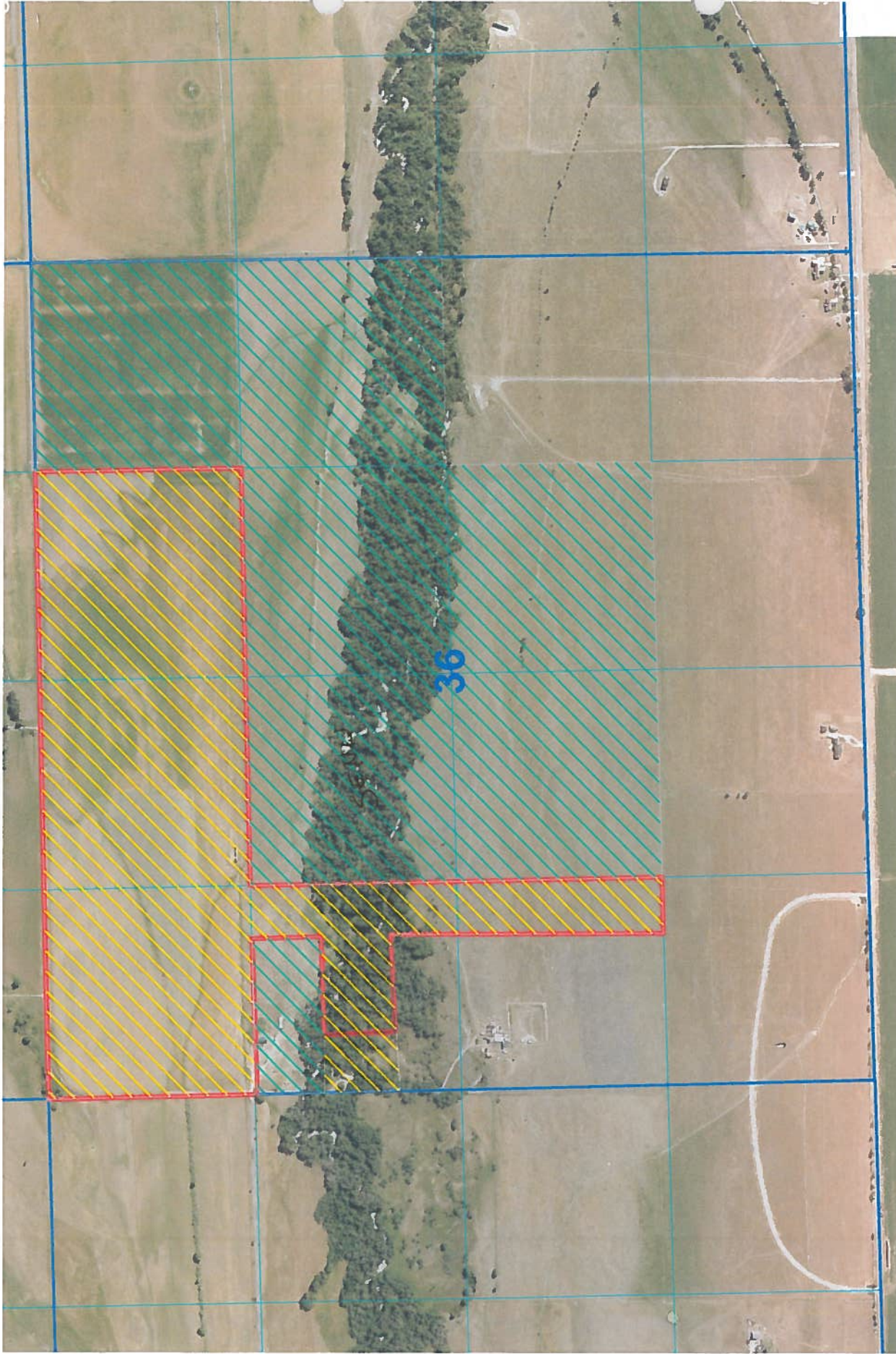
Enc. Aerial map
Assessor's map
cc: Kent Foster

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

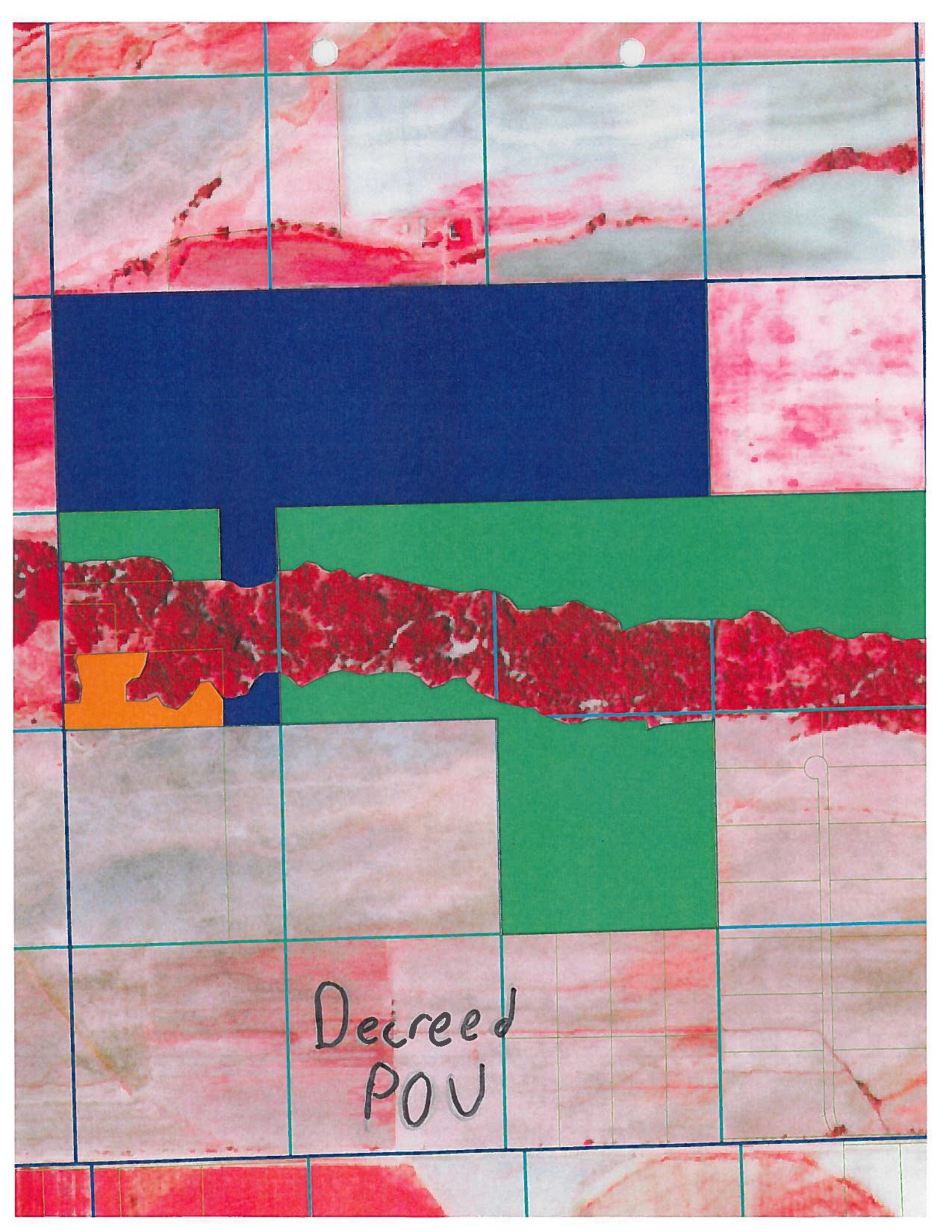
208•736•8543

FAX: 736•8506



TETON RANCH (BOYD SMITH)
T.06N., R.45E. Section 36 Ownership
2003 Aerial photo

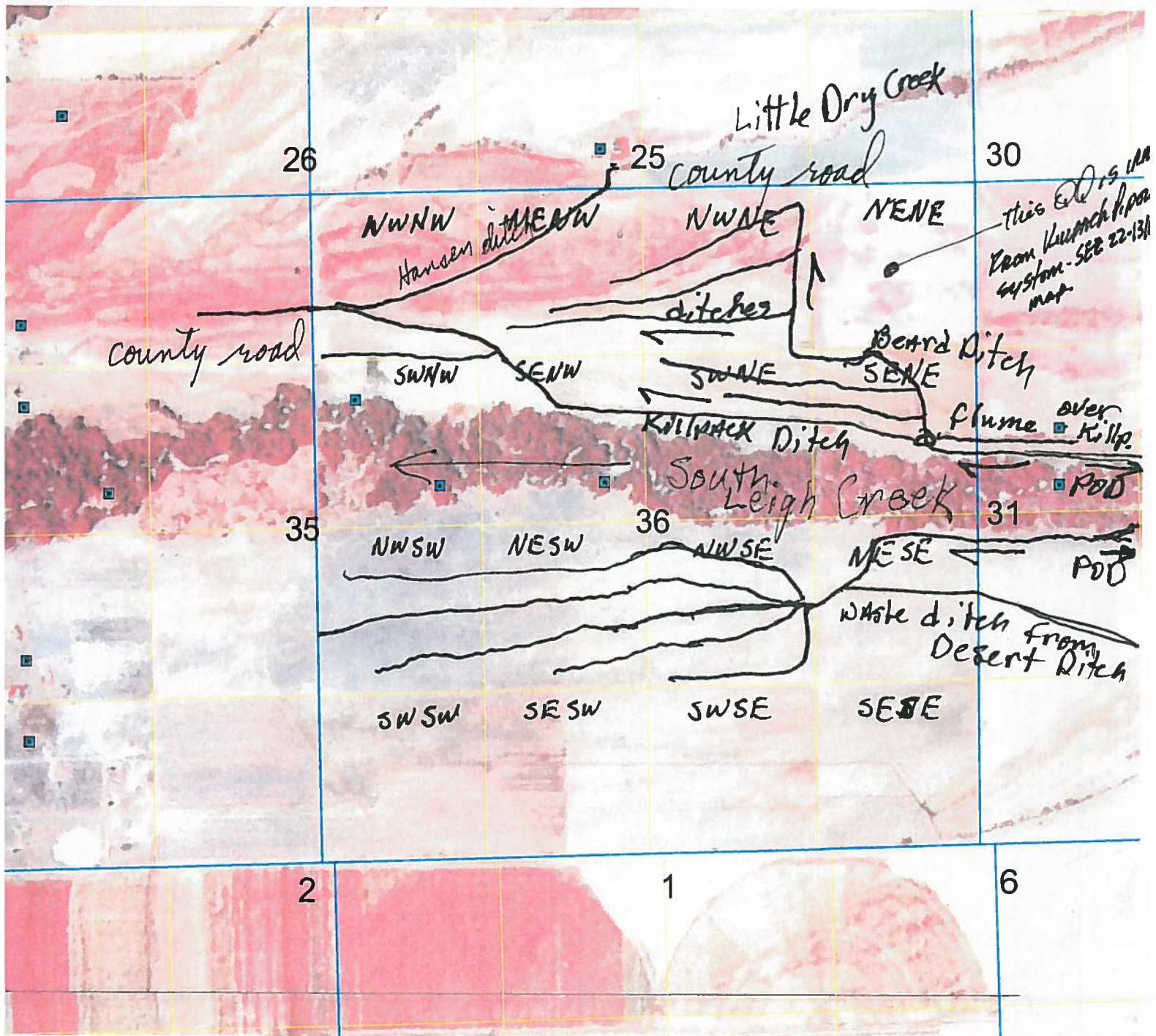
- Legend**
- Other property.shp  BEARD- OWNED
 - OWNERSHIP  SMITH- OWNED
 -  OPTION - SMITH
 -  Sections.shp

An abstract artwork featuring a grid of colored squares in shades of red, pink, blue, green, and orange. The squares are separated by thin blue lines. A horizontal strip of torn red paper is layered across the middle of the grid. Two white circular punch holes are visible at the top. The text 'Decreed POV' is written in the bottom right area.

Decreed
POV

6N 45E

8/10/04
DD



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: **A22-00615B**
Date Received: 10/ 7/1988
Receipt No: E003004
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LYLE BEARD 307-576-2694
Address: BOX 84
TETONIA ID 83452

2. Date of Priority: JAN 22, 1916

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	46E	32	NW	NW	SW		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.600		

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

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

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	36	SW	NE		IRR	10.0
			NW	SW		IRR	30.0

MICROFILMED
NOV 06 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					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:
A22-11644.

14. Remarks:
THIS CLAIM IS FOR A PORTION OF DECREED RIGHT 22-00615.
THIS RIGHT ORIGINALLY CLAIMED AS A22-11647. RENUMBERED 5-7-96 GJT

15. Basis of Claim: DECREED

Water Right Number: 0615

Case Number:

Court :

Decree date: / /

REXBURG IRR. CO. ET AL

Decree Plaintiff

TETON IRR. CANAL CO.

vs Decree Defendant

MICROFILM
NOV 11 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

Ident. Number: ~~22-11647~~
Date Received: ~~10/18/1988~~
Receipt No: E003004 ✓
Received By: TO

22-00015B

OCT 3 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYLE BEARD
Address: BOX 84
TETONIA, ID

307-576-2694

83452

2. Date of Priority: JAN 22, 1916

3. Source: SOUTH LEIGH CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	46E	32	NW	NW	SW		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.600		

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

A.F.A.

8. Total consumptive use is

80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	36	SW	NE		IRR	10.0
			NW	SW		IRR	30.0
Section Acres							40.0

A2200615B



MICROFILMED

NOV 06 1996

MICROFILMED

10. Place of Use: Continued

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:
A22-11644.

14. Remarks:

THIS CLAIM IS FOR A PORTION OF DECREED RIGHT 22-00615.

15. Basis of Claim: DECREED
Water Right Number: 0615
Case Number:
Court :
Decree date:

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

MICROFILMED
NOV 06 1992

~~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 _____ 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): Lyle Beard Date: 9-29-88

Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of Sept. 19 88

Notary Public

Seal

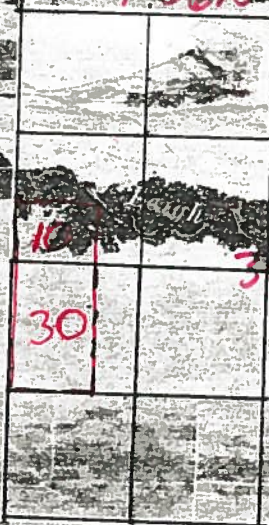
Residing at Idaho, Id
My Commission Expires fi

MICROFILMED
NOV 06 1992

~~MICROFILMED~~
~~NOV 06 1992~~

A 22-11043

T 06N R 45E



MICROFILMED
NOV 06 1986

~~MICROFILMED~~
~~NOV 08 1992~~