

12/16/2006

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

RIGHT NUMBER: 22-641B

NAME AND ADDRESS: DOROTHY DOUGLASS
423 W 325 N
TETONIA ID 83452

ORRIN V DOUGLASS
423 W 325 N
TETONIA ID 83452

JAMES V DOUGLASS
427 W 325 N
TETONIA ID 83452

ROBERTA DOUGLASS
427 W 325 N
TETONIA ID 83452

SOURCE: SWAMP

TRIBUTARY: TETON RIVER

QUANTITY: 2.540 CFS

PRIORITY DATE: 10/30/1901

POINT OF DIVERSION:

T05N R45E S21 NWNE 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	2.540 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S07	SESW	40.00	T05N R45E S07	SWSE	38.00
T05N R45E S07	SESE	39.00	T05N R45E S18	NWNE	40.00

157 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 157 acres in a single irrigation season. Combined Right Nos.:22-411, 22-412, 22-641B

This right is limited to the irrigation of 120 acres within the place of use described above 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 Cache Canal.

11/30/2006

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: December 11, 2006

Water right number: 22-641B

DOROTHY DOUGLASS
423 W 325 N
TETONIA ID 83452
Telephone Number: (208)456-2688

ORRIN V DOUGLASS
423 W 325 N
TETONIA ID 83452
Telephone Number: (208)456-2688

JAMES V & ROBERTA DOUGLASS
427 W 325 N
TETONIA ID 83452

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

Ownership Change

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

James V or Roberta Douglass

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

Enclosed copy of Deeds

☐ 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

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11/22/2006

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: 22-641E

HAROLD K DUNN
662 N SADDLE HILL RD
SALT LAKE CITY UT 84103
Telephone Number: (801)533-9730

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

Quantity

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

change CFS

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

- SEE ATTACHED LETTER

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

DATE: 12/16/06

SIGNATURE: 

Please print your name: Harold K. Dunn

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

Ernie said to give him hrs 20.94 cfs. And apply same rate per acre for all of splits from 22-641. Dunn owns 985.5. $\frac{20.94}{985.5} = .0212$

TB

12-16-06

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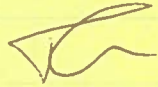
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KR

KMT
12/14

3-7-06

- 22-641B - claimant owns 120 acres of original pov and receives 2.04 cts based on the decree of .017 cts/acre.
- 22-411 & 22-412 Does not have a decreed POV. No competing claims. Assuming the 160 acres mentioned in decree is the 160 acres claimed.



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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Attention
Allen R.

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

1. 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 (under the "split" heading), 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>Yes</u> →	A2200677A		<u>22-641A</u>		
	<u>A2200641B</u>	<u>X</u>			
	<u>22-412</u>	<u>X</u>			
	<u>22-411</u>	<u>X</u>		<u>See Docs</u>	

RECEIVED

AUG 26 2004

Department of Water Resources
Eastern Region

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. 0

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) is 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)

Vernice & Dorothy Douglass
423 W 325 N. Teton, ID

4. New Owner/Claimant(s)

James or Bobbie Douglass
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

427 W 325 N

City, State and ZIP Code

Teton, Id 83452

New Telephone Number

(208) 456-2765

5. Date you acquired the property

added present
to former
9/16/05

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SEP 21 2005

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PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 16, 2005

JAMES & ROBERTA DOUGLASS
427 W 325 N
TETONIA ID 83452

RE: SPLIT OWNERSHIP OF WATER RIGHT(S) 22-411, 22-412, 22-641B

Dear Mr. & Mrs. Douglass:

Review of your "Notice of Change in Water Right Ownership" reveals a portion of the water right(s) listed above is appurtenant to your property. However, our office is unable to split water rights in Basin 22 until after we submit the Director's Report to the Snake River Basin Adjudication Court. Therefore, you have been added to the water right record(s) as a "present owner." This designation will allow you to receive copies of mailings that pertain to the water right(s) listed above.

Splitting rights will be completed following distribution of the Basin 22 Director's Report scheduled for mailing in 2006. At that time we will designate you "current owner" of your portion and notify the SRBA Court, so the water rights appurtenant to your property will be adjudicated in your name.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: File: 22-411
Orrin & Dorothy Douglass

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MEMORANDUM

DATE: September 8, 2005

TO: File

FROM: Jennifer Crabtree, Technical Records Specialist

RE: Adding Present Owners

Per the procedure developed in August 2005 by the state office staff, legal, and the court, I added the new claimants as "present owners" and left the old claimants as "current owners". Once the director's report is issued and all the ownership changes are received, the recommendation will be split as per our normal procedure.

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Need c/o to Jim Douglass - he
has paperwork.

Need to GPS POD headgate.

Black & white photo current

1987 photo



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JUN 06 2007

Claim No. 22-64113

Document Checklist

☒ Copy License/Decree

Cochran Canal V Crandall

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

What are 22-411 and 412 about - San Leigh Ck Rts?

27.36

160	800
640	
640	800
160	

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Claim no. _____

Claimant Contact Log

Date Remarks Agent initials

6/21/04 Visited with Jim Douglas
about his ground, permits of
diversion, & change of ownership.
He said he had bought land
from his parents.

Jim Douglas

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Water Right No(s). _____

GPS DATA:

Tag # A0013832 Location: Cache & Swamp

Diversion Data:

Source: UNNAMED streams Trib to: Teton River

MOTOR

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

PUMP

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

NOTES:

Yours PDD is from Cache Canal. Secondary PDD is
pump. See map.

Field Exam Date: 6/21/04 Agent: DD AR

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JUN 08 2007

DEC 4 1951

4911

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT Eastern District Office

OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

6-15-48
H.F.

CACHE CANAL COMPANY, a corporation,

Plaintiff,

vs.

D E C R E E

Lynn Crandall, Watermaster,
District 36 Idaho,

Defendant.

This cause came on regularly to be heard by the Court this 28th day of May, 1948, S. H. Atchley, of Driggs, Idaho, appearing as counsel for the plaintiff, and it appearing to the satisfaction of the Court that the defendant was served with a copy of the summons and a copy of the complaint in this action, and that he failed to appear and plead to said complaint, and that the default of the defendant has been entered; and,

It further appearing that an order was made on the 11th day of April, 1948, directing the publication of a Notice, once a week for not less than 3 weeks successigely, in the Teton Valley News, a newspaper published weekly at Driggs, Teton county, Idaho, and in the Peak Chronicle, a newspaper published weekly at St. Anthony, Fremont county, Idaho, containing the title of the Court and cause, the name of the stream in the waters of which plaintiff claims an interest the date of priority claimed by it, as is required, and the date and short title of the decree of this Court heretofore entered, fixing the permanent rights in and to the waters of Snake River and its tributaries; that the said notice was published in accordance with said order and the proof of publication has been filed herein; that no person or persons have appeared to defend against said action;

The plaintiff introduced documentary and oral proof in support of its complaint and the Court, after hearing the evidence and examining the proof submitted, finds as follows:

That the plaintiff is a corporation organized and existing under the laws of the State of Idaho, with its principal place of

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JUN 08 2007

business in Teton county, Idaho; that the sole object of its organization is for the benefit of its several stockholders in the diversion and conveyance of agricultural and domestic waters for the irrigation of their lands and domestic purposes, and that the stockholders of the said corporation are entitled to the use of the quantity of water diverted by the said corporation in proportion to the amount of capital stock or acreage of land owned by them.

That the stockholders of the plaintiff are the owners of, and the lands irrigated under the ditch or canal system of the plaintiff, are situate in Teton county, Idaho, described:

Sections Seven and Eight (7 and 8); Southwest Quarter (SW $\frac{1}{4}$), Section Nine (9); Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Twenty-one (21); Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Seventeen (17), and South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), Section Seventeen (17) all in Township Five (5) North, Range Forty-five (45) E. B. M.

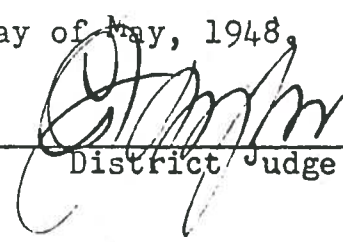
That said lands are arid in character and require artificial application of water by irrigation to produce agricultural crops; that the plaintiff, through its stockholders and predecessors in interest, ever since the 30th day of October, 1901, have diverted 1368 miner's inches of the unappropriated waters of the Swamp in said Teton county that the diversion works of the plaintiff are located approximately three miles south of the village of Tetonia and about three miles east of Teton River in said Teton county; that ever since the said 30th day of October, 1901, said stockholders have applied said quantity of water during the irrigation seasons, to beneficial use in the irrigation of crops grown upon the aforementioned lands, and which quantity or stream flow has been in addition to any other rights fixed, decreed or in any manner granted to the plaintiff through its stockholders and/or predecessors in interest.

From the above findings the Court concludes that the plaintiff is entitled to, and,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the plaintiff for the use of its stockholders, and for the irrigation of the herein before described lands, is awarded the use of ^{27.36 cfs} 1368 miner's inches of water, with a priority date of October 30, 1901, of the waters of the Swamp hereinbefore described.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the right awarded and decreed in that certain decree commonly known as the "Rexburg or Snake River Decree," made and entered in this Court December 16, 1910, both as to dates of priority and the amounts of the rights awarded, are binding upon the plaintiff in this action.

Done in open Court this 28th day of May, 1948,



District Judge

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JUN 08 2007



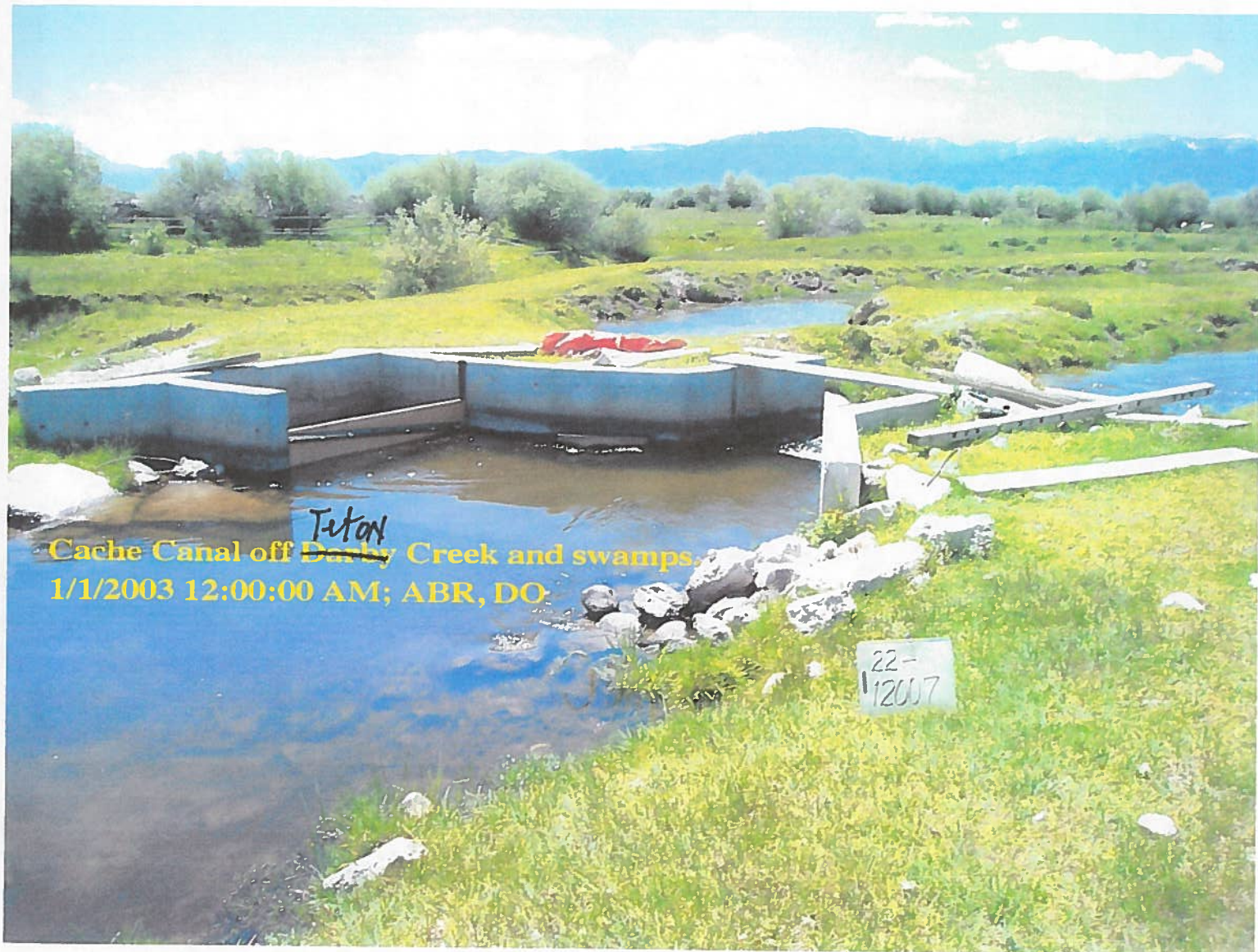
Unnamed stream feeding Cache Canal off Darby Creek and swamps.

1/1/2008 12:00:00 AM; ABR, DO

Teton Creek

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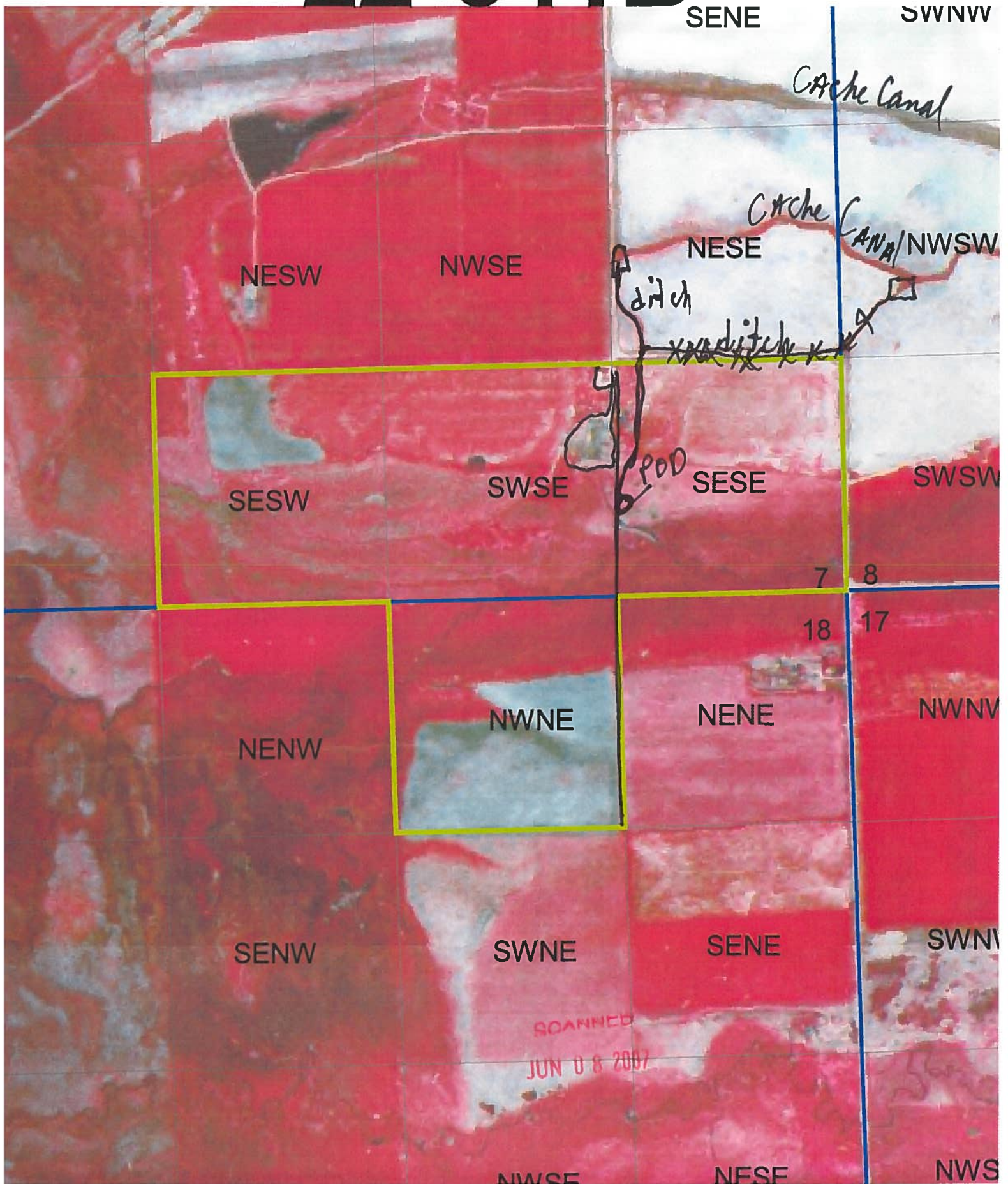


Teton
Cache Canal off Darby Creek and swamps.
1/1/2003 12:00:00 AM; ABR, DO

22-
12057

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JUN 08 2007

22-641B





State of Idaho Department of Water Resources Eastern Regeion



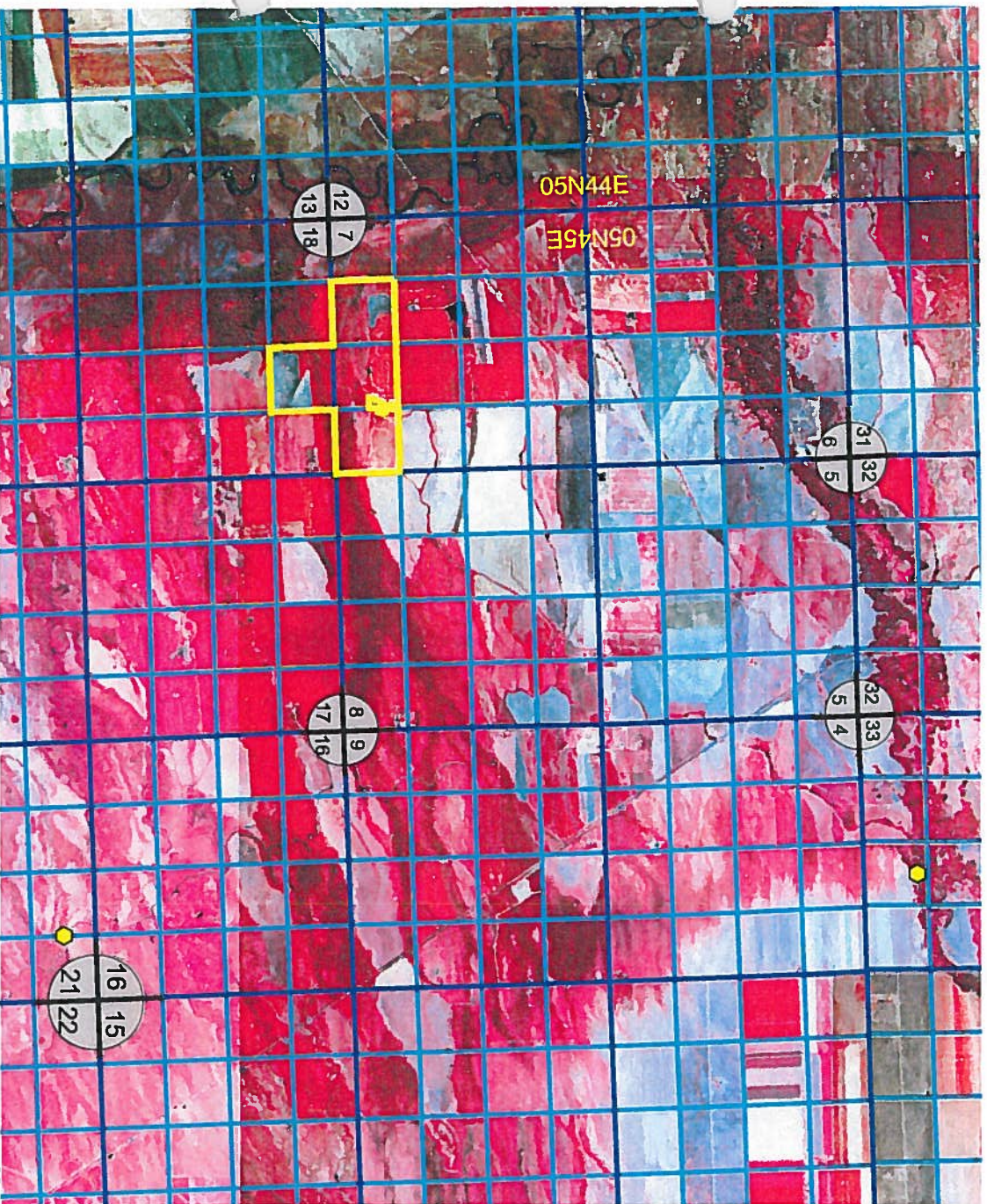
Claim No(s):

22-411

22-412

22-641B

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- Place of Use
- Points Of Diversion
- Sections
- Quarter Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: March 2006

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: A22-00641B
Date Received: 9/02/1988
Receipt No: E002050
Received By: SB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORRIN V. DOUGLASS 208-456-2688
Address: 423 W. 325 N.
TETONIA, ID 83452
OR
Name: DOROTHY DOUGLASS 208-456-2688
Address: 423 W. 325 N.
TETONIA, ID 83452

2. Date of Priority: OCT 30, 1901

3. Source: SWAMP Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	21	NE	NE			TETON

5. Description of diverting works:
OVERFLOW FROM SWAMP/SPRINGS COLLECTED INTO CACHE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.140		

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

8. Total consumptive use is 314.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00641B

Page

1

Date: 09/02/88

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JUN 08 2007

MICROFILMED

OCT 28 1992

A2200641B



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	7	SE	SW		IRR	40.0
			SW	SE		IRR	37.0
			SE	SE		IRR	40.0
						Section Acres	117.0
		18	NW	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	157.0

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:
22-00411,00412

14. Remarks:
CACHE CANAL COMP. DISBANDED. CLAIMANT FILING FOR PORTION OF
ORIGINAL RIGHT HE NOW USES.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 5/28/1948

CACHE CANAL CO.
Decree Plaintiff

vs

LYNN CRANDALL, WATERMASTER
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): Cheryl E. Douglas Date: 9-2-88

Dorothy C. Douglas Date: 9-2-88

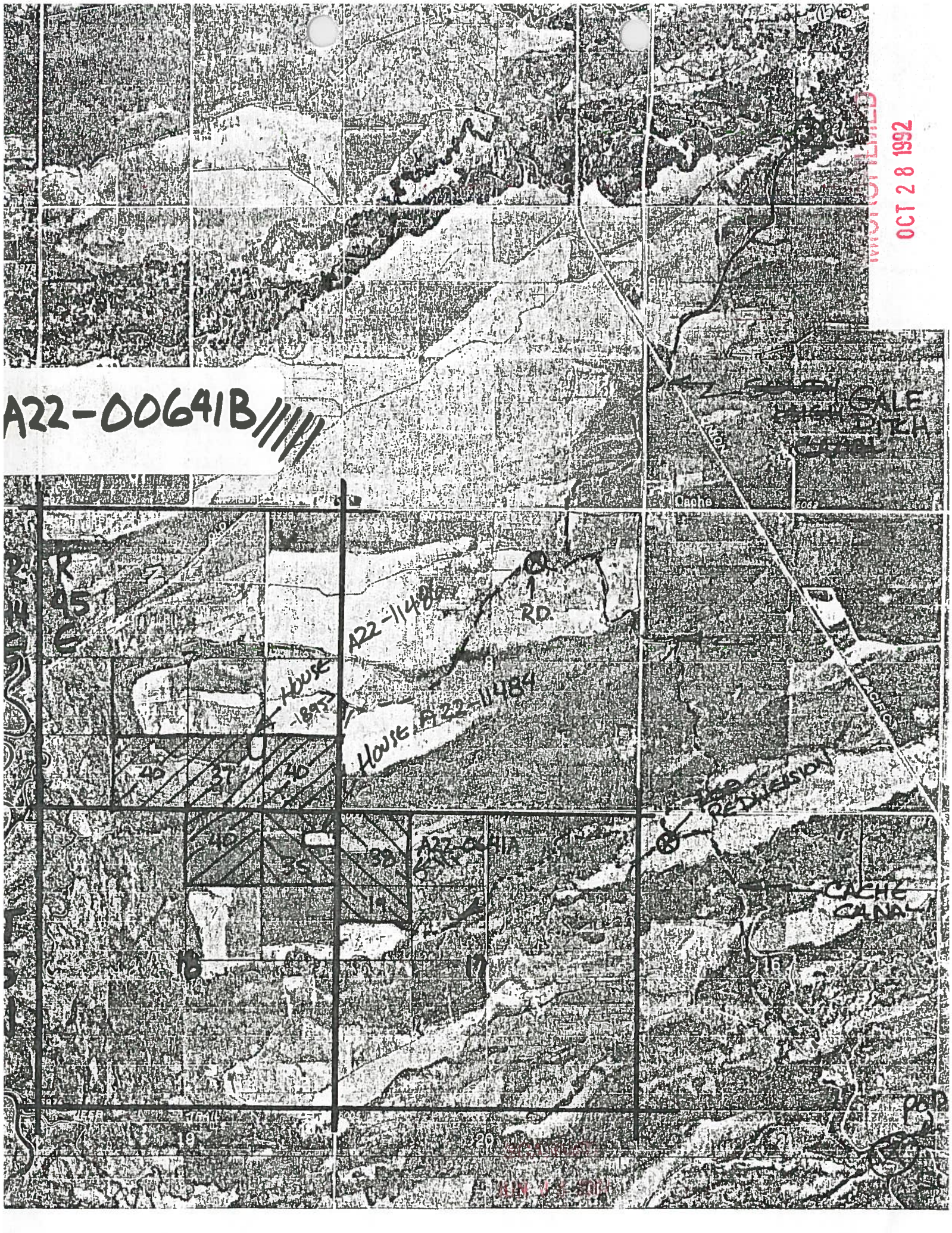
State of Idaho)
County of Bannock) ss.

Subscribed and sworn (or affirmed) before me this 2nd day
of Sept 1988 Dorothy C. Douglas
Notary Public

Seal

Residing at Rigby

My Commission Expires 4-22-1994



A22-00641B

A22-11481

House 1895

House A22-11484

A22-00417

RD

CACHE CANAL

REDWATER

OCT 28 1992

MICROFILMED
OCT 28 1992

A22-00641B

