

12/16/2006

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

RIGHT NUMBER: 22-641C

NAME AND ADDRESS: ROENE CHAMBERS
PO BOX 84
DRIGGS ID 83422

A REESE CHAMBERS
PO BOX 84
DRIGGS ID 83422

SOURCE: SWAMP TRIBUTARY: TETON RIVER

QUANTITY: 1.700 CFS

PRIORITY DATE: 10/30/1901

POINT OF DIVERSION:

T05N R45E S16 SWNENW 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	1.700 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S17	NENE	32.00	T05N R45E S17	NWNE	40.00
T05N R45E S17	SWNE	21.00	T05N R45E S17	SENE	38.00
T05N R45E S17	NENW	40.00	T05N R45E S17	SENW	40.00
T05N R45E S17	SWSW	40.00	T05N R45E S17	SESW	40.00
T05N R45E S17	NESE	40.00	T05N R45E S17	NWSE	29.00
T05N R45E S17	SWSE	40.00	T05N R45E S17	SESE	40.00
T05N R45E S20	NENW	18.00	T05N R45E S20	NWNW	15.00

473 ACRES TOTAL

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 473 acres in a single irrigation season. Combined Right Nos.:22-169A, 22-641C, 22-12006, 22-12007

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

11/21/2006

**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: 22-641C

ROENE CHAMBERS
PO BOX 84
DRIGGS ID 83422
Telephone Number: (208)354-2458

A REESE CHAMBERS
PO BOX 84
DRIGGS ID 83422
Telephone Number: (208)354-2458

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

No. 1

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

Same as

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

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

DATE: _____

SIGNATURE: _____

A. Reese Chambers

Please print your name: _____

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

FOI condition added 12-18-06
TH

SCANNED

JUN 08 2007

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

SCANNED
JUN 08 2007

KR

KM
12/14

22-12007 and 22-12006 are decrees
which together cover 320 undescribed acres.
Because they are undescribed and there are
no competing claims I will assume they
were always used on this land separately because
the source is "Swamp". Claimant owns
80 acres of decreed right 22-644C which
gives him .017 cfs/acre for that 80 acres (1.37 cfs).
Claimant owns the decreed POV for 22-169,
But only claims 1.066 cfs. 22-169B claims
the other cfs. I am assuming that water was sold
and that Chambers then spread the water thinner on
the 80 he owns, ~~so I am giving the claim a CCS~~
~~condition.~~ All of these claims add up to a
total of 480 acres for a permissible pov
so no enlargement seems to be needed each
claim will get a K06 condition reflecting
their allotted acres.

2-27-06
TB

SCANNED

JUN 08 2007

Claim No. 22641C

Document Checklist

☒ Copy License/Decree

Cache 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

Refer to claim A22/2006 for map of POH
and POH
Cache Canal claim.

SCANNED

JUN 08 2007

DEC 4 1951

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

Eastern District Office

CACHE CANAL COMPANY, a corporation,

Plaintiff,

vs.

Lynn Crandall, Watermaster,
District 36 Idaho,

Defendant.

DECREE

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

SCANNED

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

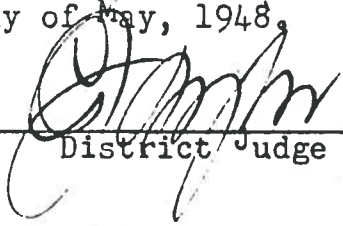
That said lands are arid in character and require artificial application of water by irrigation to produce agricultural crops; that the plaintiff, through its stockholders and predecessors in interest, ever since the 30th day of October, 1901, have diverted 1368 miner's inches of the unappropriated waters of the Swamp in said Teton county that the diversion works of the plaintiff are located approximately three miles south of the village of Teton 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 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 rights 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.

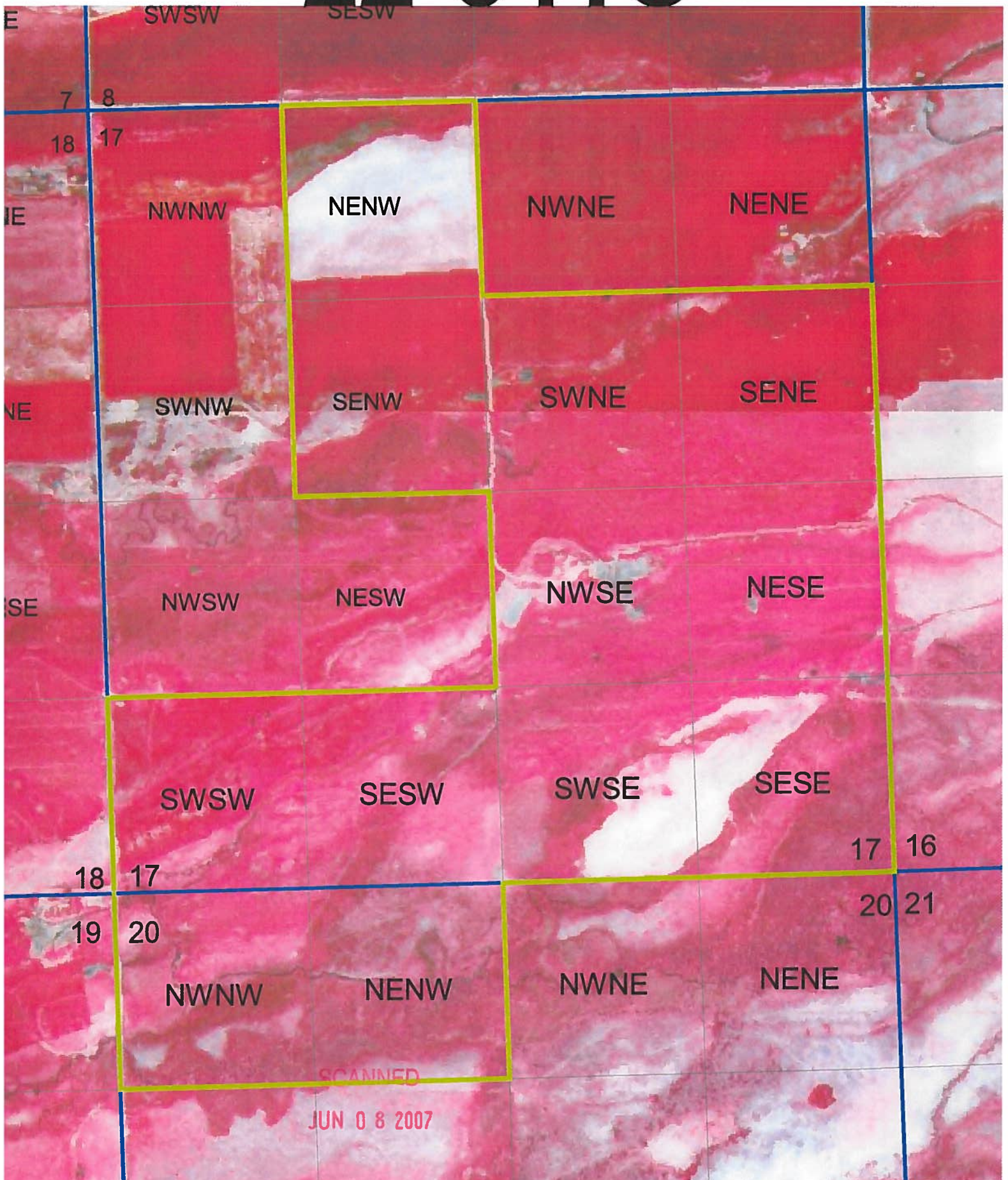
Done in open Court this 28th day of May, 1948.


District Judge

SCANNED

JUN 08 2007

22-641C





Idaho Department of Water Resources

SRBA Recommendation:

22-169A

22-641C

22-12006

22-12007

(Irrigation)

SCANNED
JUN 08 2007

Legend

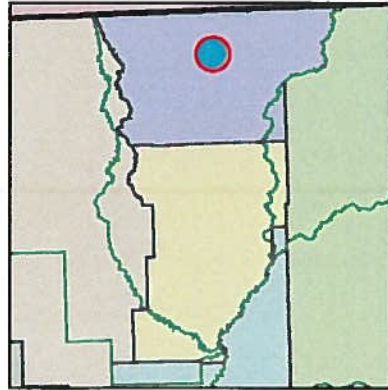
Point of Diversion

Place of Use

Townships

PLS Sections

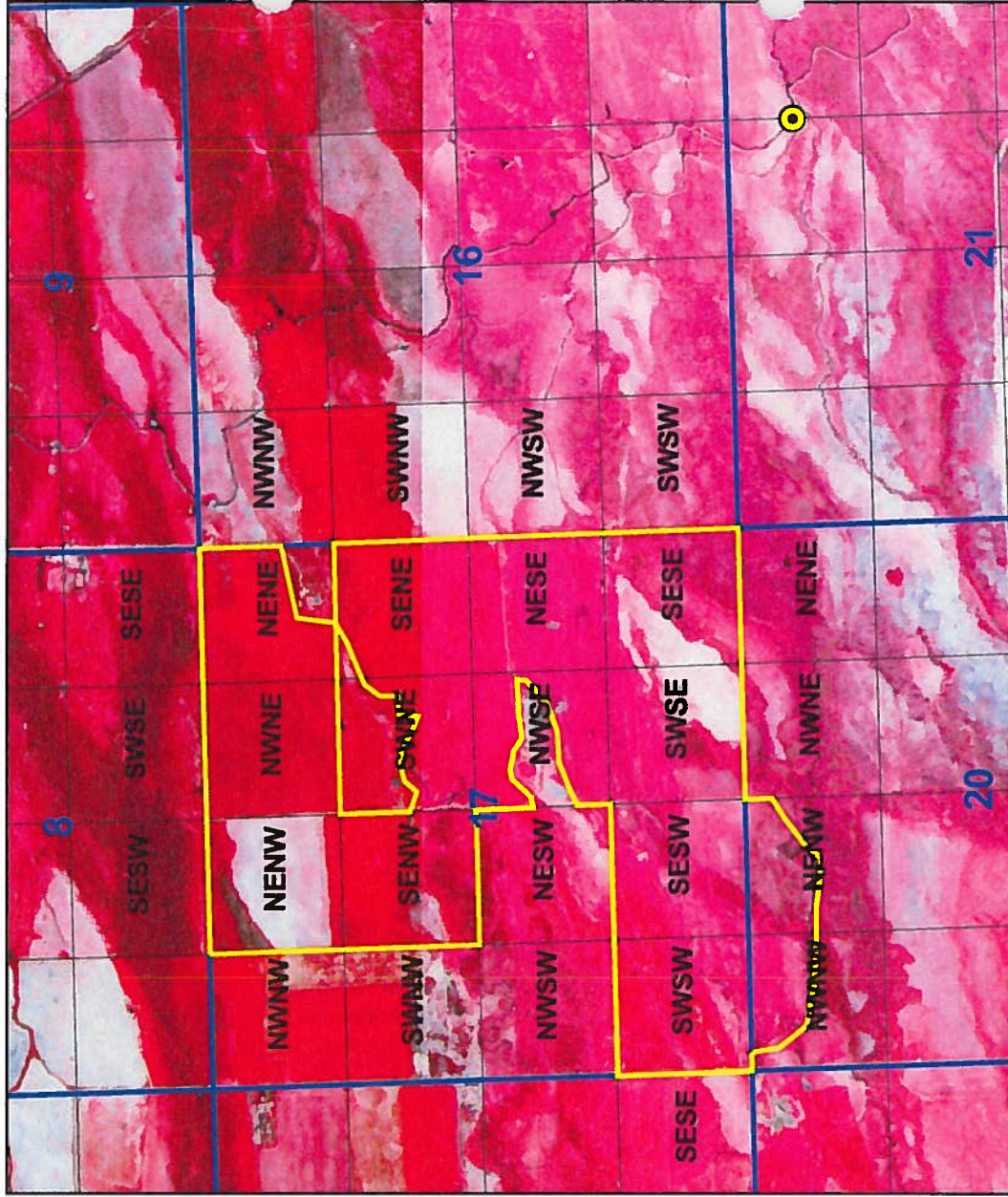
Quarter Quarters



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Tuesday, November 21, 2006
1987/88 Aerial Photography

R45E



T05N

0 0.7 1.4 Miles

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: A22-00641C
Date Received: 9/29/1988
Receipt No: M001468
Received By: SS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. REESE CHAMBERS 208-354-2458
Address: BOX 84
DRIGGS, ID 83422
OR
Name: ROENE CHAMBERS 208-354-2458
Address: BOX 84
DRIGGS, ID 83422

A2200641C



2. Date of Priority: OCT 30, 1901

3. Source: UNNAMED STREAMS Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	16	SW	NE	NW		TETON
		17	SE	SE	NW		TETON

5. Description of diverting works:
HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	9.600		

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

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00641C

Page 1

Date: 09/29/88

SCANNED
JUN 08 2007

MICROFILMED
OCT 28 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	45E	17	SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	400.0
		20	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	80.0
							Total Acres	480.0

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:
A22-12006 & A22-12007

14. Remarks:
THIS CLAIM WAS ORIGINALLY DECREED RIGHT NUMBER 22-00641. THE
SOURCE WAS KNOWN AS SWAMP.

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

CACHE CANAL CO. ET AL
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): X H. Reese Shambaugh Date: 9-29-88

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 29th day

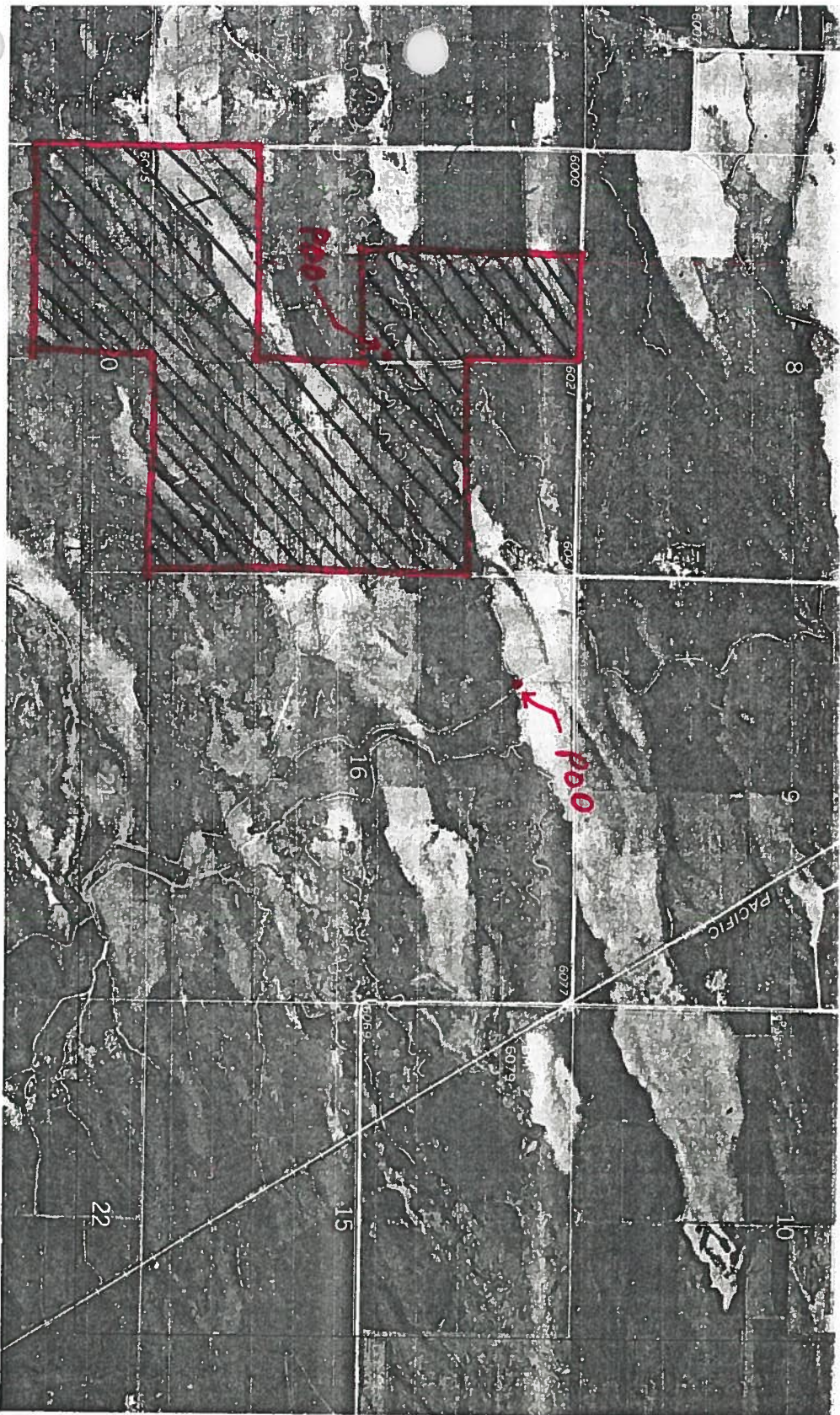
of Sept 19 88

Mahin Gene Gibson
Notary Public

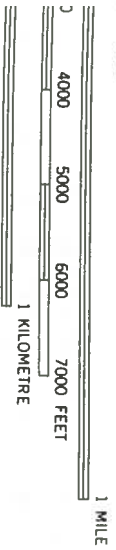
Seal

Residing at Boise, Id

My Commission Expires 9-2-1994



24000



489000m.E. 111°07'30"

4844000m.N.
43°45'

SCANNED
JUN 08 2007

MICROFILMED
OCT 28 1992

TETONIA, IDA.
N4345-W1107.5/7.5
1974
ADVANCE PRINT

Maps Can Be Obtained