

11/30/2006

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

RIGHT NUMBER: 22-669B
NAME AND ADDRESS: MARY LOU BUSH
PO BOX 180
TETONIA ID 83452

JAMES W BUSH
PO BOX 180
TETONIA ID 83452

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.950 CFS
PRIORITY DATE: 04/01/1939
POINT OF DIVERSION:
T06N R45E S7 NWNWNE Within TETON County
T06N R45E S7 NENENW 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	0.950 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R44E S01 NWSE 25.00		
	25 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 25 acres in a single irrigation season. Combined Right Nos.: 22-310D and 22-669B.

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 place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Ward Ditch.



Idaho Department of Water Resources

SRBA Recommendation:

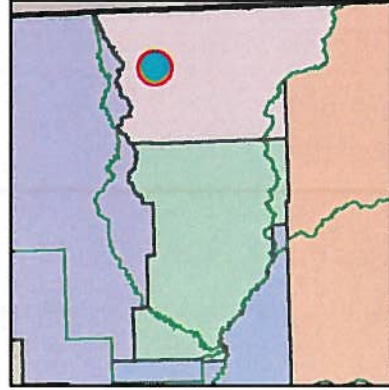
22-310D

22-669B

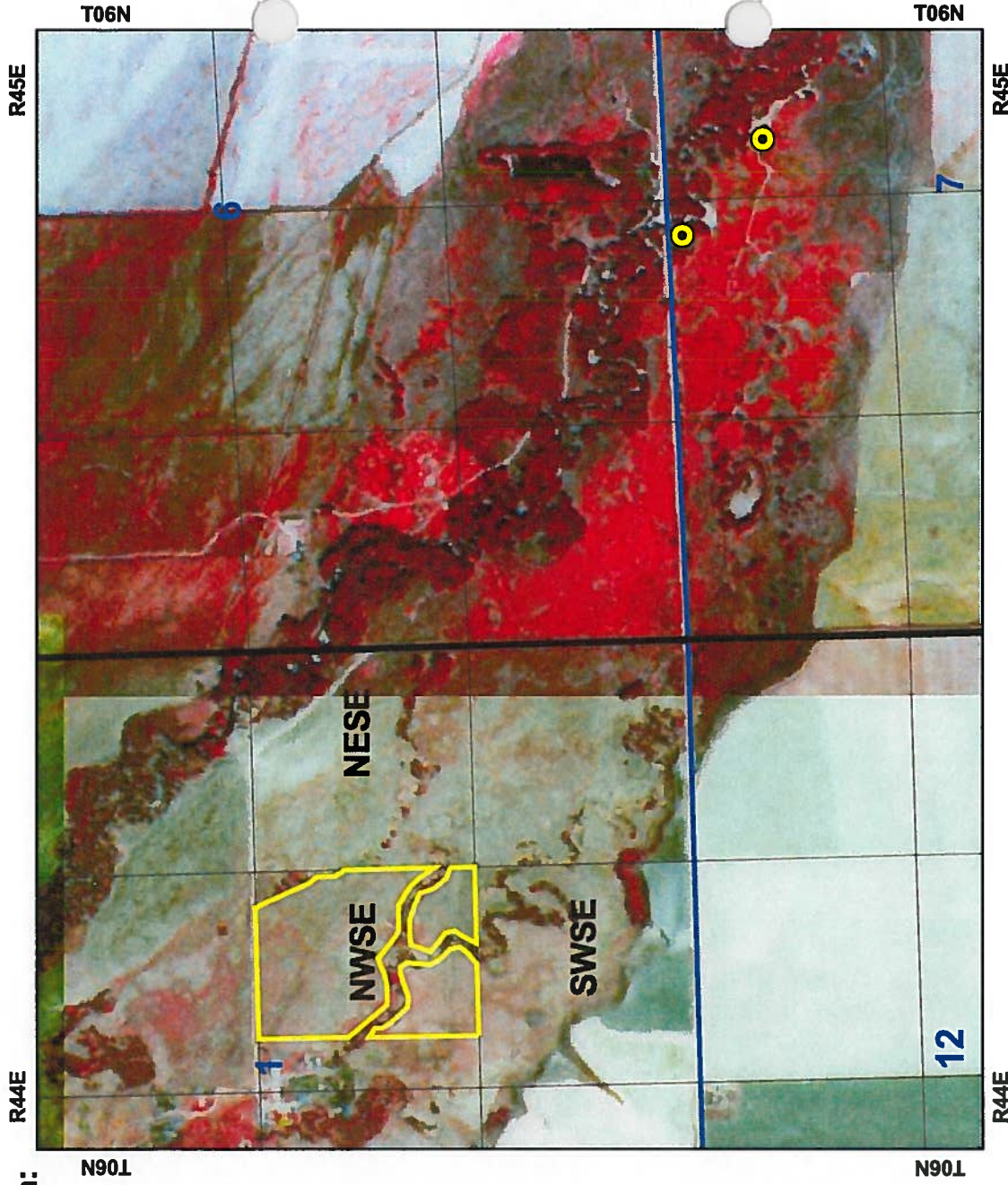
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0.8 Miles

0.4

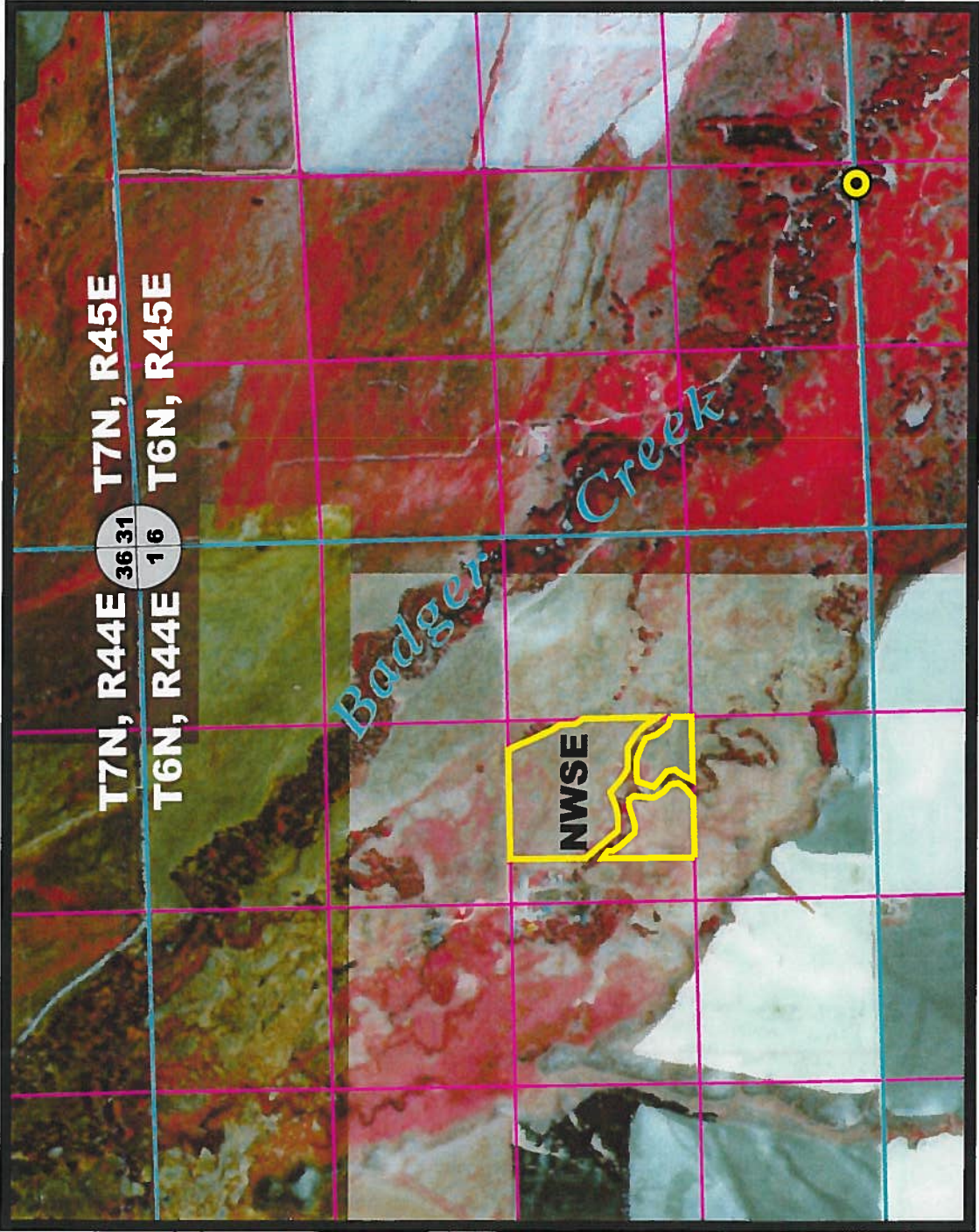
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Prepared by K. Moore
On Thursday, November 30, 2006
1987/88 Aerial Photography



State of Idaho

Department of Water Resources
Eastern Region



Water Right(s):
22-669B,
22-310D

Point(s) of Diversion:
T6N, R45E
Sec. 7 NENENW

Place of Use: (parts of)
T6N, R44E
Sec. 1 NWSE

LEGEND

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



GIS Place of Use Illustration
1987/1988 NAIP Photography
Prepared by: A. Ruberry
Date: January 2006

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: 22-669B

MARY LOU BUSH

PO BOX 180

TETONIA ID 83452

Telephone Number: (208) 456-2849

JAMES W BUSH

PO BOX 180

TETONIA ID 83452

Telephone Number: (208) 456-2849

208-456-2849

Phone
Updated
KMD

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

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

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:

12-10-06

SIGNATURE:

James W. Bush

Please print your name:

James W. Bush

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

of Badger Creek with a priority date of April 1, 1939, in addition to all other decreed and other rights now owned by said plaintiff, for domestic purposes and for irrigation of, and to be appurtenant to, the following described lands, to-wit:

Lot Two (2), Section Six (6), Township Six (6) North, Range Forty-five (45) E.B.M., and the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section Thirty-one (31), Township Seven (7) North, Range Forty-five (45) East of the Boise Meridian,

and to be diverted from said Badger Creek in the Northwest Quarter ($NW\frac{1}{4}$) of Section 8, Township 6 North, Range 45, E.B.M.

VIII

22-0668

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the plaintiff, Leonard Ward, be awarded and is entitled to divert and use 11.0 cubic feet of water per second of time of the waters of Badger Creek with a priority date of April 1, 1939, in addition to all other decreed and other rights now owned by said plaintiff, for domestic purposes and for irrigation of, and to be appurtenant to, the following described lands, to-wit:

The Northeast Quarter ($NE\frac{1}{4}$) of Section Twelve (12), the Northeast Quarter ($NE\frac{1}{4}$), the Southwest Quarter ($SW\frac{1}{4}$) and the South Half of the Southeast Quarter ($S\frac{1}{2}SE\frac{1}{4}$), Section One (1), all in Township Six (6) North, Range Forty-four (44), East of the Boise Meridian,

and to be diverted from said Badger Creek in the Northwest Quarter ($NW\frac{1}{4}$) of Section 8, and the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section 7, all in Township 6 North, Range 45 E.B.M.

IX

22-0669

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the plaintiff, Leonard Ward, be awarded and is entitled to divert

and use 7.6 cubic feet of water per second of time of the waters of Badger Creek with a priority date of April 1, 1939, in addition to all other decreed and other rights now owned by said plaintiff, for domestic purposes and for irrigation of, and to be appurtenant to, the following described lands, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$), the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$), Section One (1), Township Six (6) North, Range Forty-four (44), East of the Boise Meridian,

and to be diverted from said Badger Creek in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 7, Township 6 North, Range 45 E.B.M.

X

22-0670 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the plaintiff, Myrtle Williams, be awarded and is entitled to divert and use 5.4 cubic feet of water per second of time of the waters of Badger Creek with a priority date of April 1, 1939, in addition to all other decreed and other rights now owned by said plaintiff, for domestic purposes and for irrigation of, and to be appurtenant to, the following described lands, to-wit:

The North Half of the North Half (N $\frac{1}{2}$ N $\frac{1}{2}$), South Half of the North Half (S $\frac{1}{2}$ N $\frac{1}{2}$), in Section Eight (8), Township 6 North, Range 45, East of the Boise Meridian,

and to be diverted from said Badger Creek in the Northwest Quarter (NW $\frac{1}{4}$) of Section 8, and the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), all in Township 6 North, Range 45 E.B.M.

XI

22-0671

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the plaintiff, Edward Erickson, Marie Henderson, Grace

~~82-1115~~
22-1306

13193

~~13193~~
13196

13198

136D

310D

515C

517C

668D

669B

RETURN SERVICE REQUESTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

JAMES W BUSH
MARY LOU BUSH
549 W 1050 N
FELT ID 83424



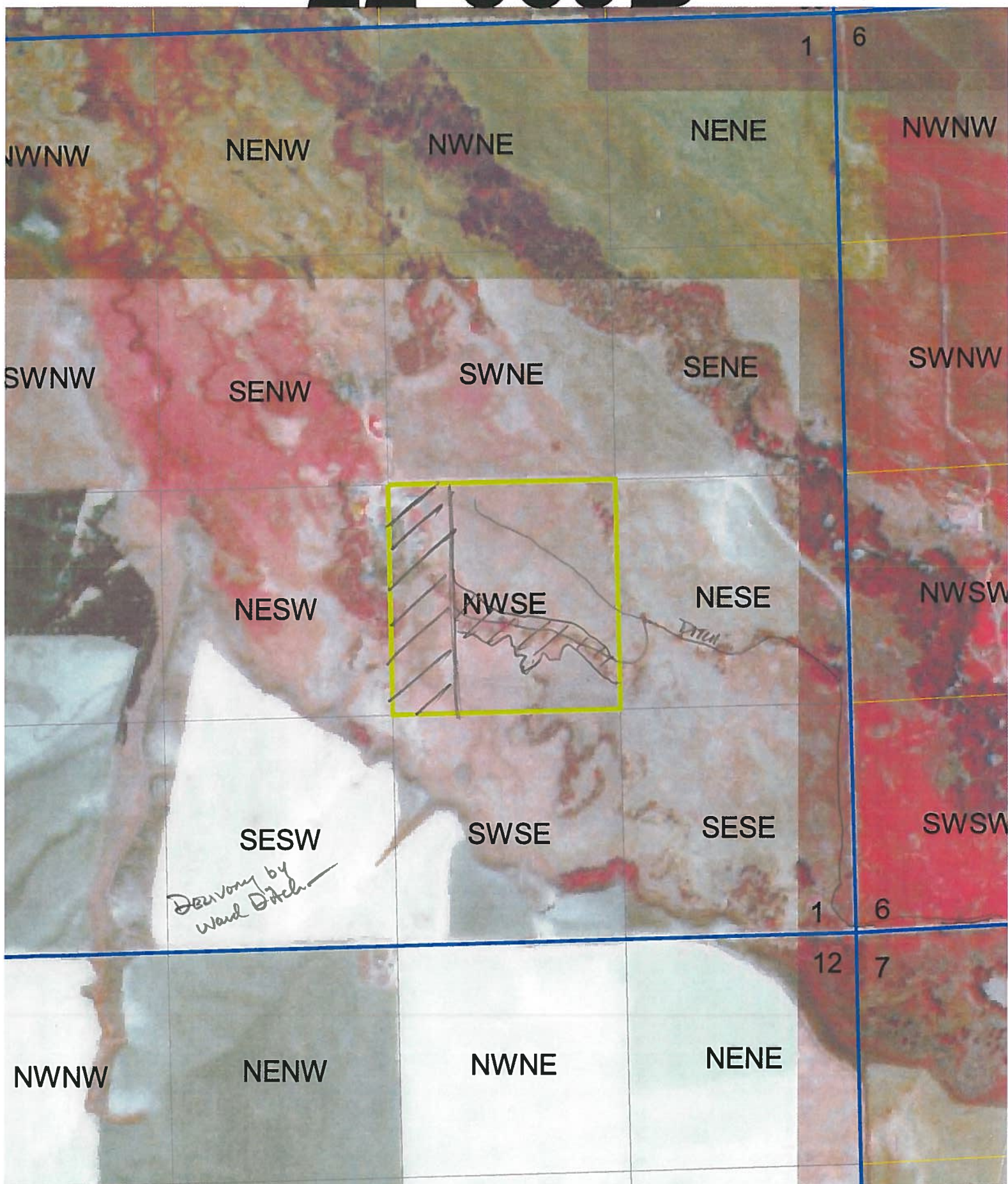
UNDELIVERABLE AS ADDRESSED

* * *
U.S. POSTAGE
1710
8946 \$00.370 MAR 02 2004
1010 MAILED FROM ZIP CODE 83402
P B 3523907
PITNEY BOWES

PO Box
180
Tetonville ID
83450

22-669B

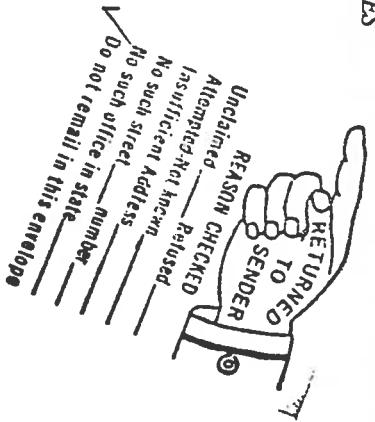
9/16/04 ASR



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

Return Service Requested



OR

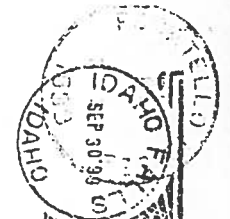
Name: MARY LOU BUSH
Address: HCR-67 PO BOX 11
FELT ID

83424

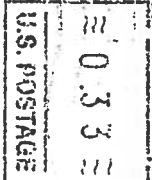
2. Date of Priority: RETURN TO SENDER AS REQUESTED.
CORRECT ADDRESS ATTACHED.

Department of Water Resources
Eastern Region

RECEIVED
OCT 04 1999



PR METER
8348112



Correct Address:
PO Box 180
Tetonia ID 83452-0180



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

JAMES & MARY LOU BUSH
HCR-67 PO BOX 11
FELT ID 83424

RE: CHANGE IN OWNERSHIP FOR A22-00310B, A22-00669A

Dear Mr. & Mrs. Bush:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00310D, 0.20 cfs, 10 acres, Bush
A22-00310E, 0.60 cfs, 30 acres, Hill

A22-00669B, 0.32 cfs, 10 acres, Bush
A22-00669C, 0.95 cfs, 30 acres, Hill

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

RECEIVED
AUG 19 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Department of Water Resources
Incomplete forms will be returned. Western Region

1. Water Right Number(s)
Adjudication Claim Number(s) A22-00310B / A22-00669A

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) James W. Bush And Mary Lou Bush

4. New Owner/Claimant(s) Randal D. Hill And Diana M. Hill

Name of owner (Check one): ☐ IND ☐ TOR ☐ LAND OR

New Mailing Address 4341 W 1000 N

City, State and ZIP Code Rexburg, Idaho 83440

New Telephone Number (208) 356-5225

5. Date you acquired the property March 24 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 30 Number and type of stock 30 Head cattle, 5 head Horse

Diversion rate in CFS 1.270 Number of homes 1 Other uses A22-11754

cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner/Claimant(s) Randal Hill Date 8/17/99

Diana M. Hill Date 8/17/99

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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 22-669B
Date Received: 9/20/1988
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES W BUSH Phone: (208)456-2849
PO BOX 180
TETONIA ID USA 83452-0180

MARY LOU BUSH Phone: (208)456-2849
PO BOX 180
TETONIA ID USA 834520180

2. Date of Priority: 04/01/1939

3. Source: BADGER CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	45E	7	NE NE NW	TETON	

5. Description of diverting works:

HEADGATE/DITCH TO FLOOD AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.95	

7. Total Quantity Appropriated is:
0.95 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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06N	44E	1	NW	SE	IRRIGATION	30
					Section Acres	30
					Total Acres	30

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:

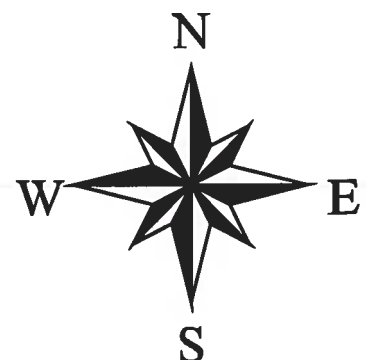
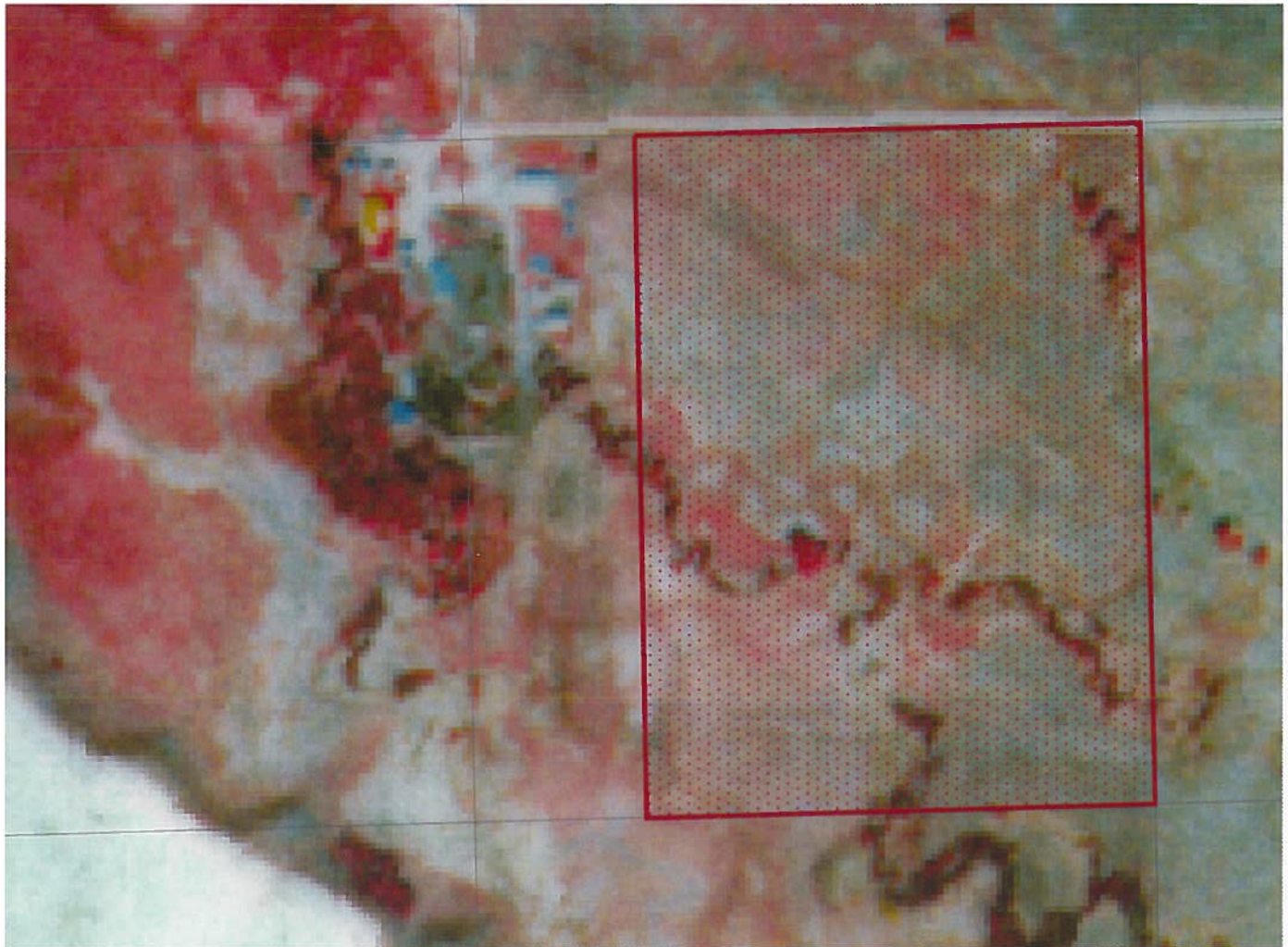
14. Remarks:

THIS CLAIM IS BASED ON A 1/6 PORTION OF DECREED RIGHT 22-00669. CHANGED ADDRESS
PER POST OFFICE RETURNED MAIL/JC/10-4-99

15. Basis of Claim: Decreed

22-310D, 22-669B

JAMES BUSH



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: A22-00669B
Date Received: 9/20/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JAMES W BUSH 208-456-2849
Address: PO BOX 180
TETONIA ID 83452-0180

OR

Name: MARY LOU BUSH 208-456-2849
Address: PO BOX 180
TETONIA ID 83452-0180

2. Date of Priority: APR 1, 1939

3. Source: BADGER 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	7	NE	NE	NW		TETON

5. Description of diverting works:
HEADGATE/DITCH TO FLOOD AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.320		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	44E	1	NW	SE		IRR	10.0



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

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:
A22-00310.

14. Remarks:
THIS CLAIM IS BASED ON A 1/6 PORTION OF DECREED RIGHT 22-00669.
CHANGED ADDRESS PER POST OFFICE RETURNED MAIL/JC/10-4-99

15. Basis of Claim: DECREED

Water Right Number: 0669

Case Number:

Court :

Decree date: 11/ 2/1964

NATHAN RICKS
Decree Plaintiff

HENRY EAGLE, WATERMASTER
vs Decree Defendant

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: **A22-00669B**
Date Received: 9/20/1988
Receipt No: X777777
Received By: _____

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

1. Name: JAMES W BUSH 208-456-2849
Address: HCR-67 PO BOX 11
FELT ID 83424
OR
Name: MARY LOU BUSH 208-456-2849
Address: HCR-67 PO BOX 11
FELT ID 83424

2. Date of Priority: APR 1, 1939

3. Source: BADGER CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	7	NE	NE	NW		TETON

5. Description of diverting works:
HEADGATE/DITCH TO FLOOD AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.320		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	1	NW	SE		IRR	10.0

10. Place of Use: Continued

Section Acres 10.0

Total Acres 10.0

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:
A22-00310.

14. Remarks:

THIS CLAIM IS BASED ON A 1/6 PORTION OF DECREED RIGHT 22-00669.

15. Basis of Claim: DECREED

Water Right Number: 0669

Case Number:

Court :

Decree date: 11/ 2/1964

NATHAN RICKS

Decree Plaintiff

HENRY EAGLE, WATERMASTER

vs 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): _____ Date: _____
_____ Date: _____