

08/07/2006

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

RIGHT NUMBER: 22-2053B

NAME AND ADDRESS: VERL S FOSTER
PO BOX 344
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/31/1910

POINT OF DIVERSION:

T04N R44E S14 SENWNE Lot 2 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	0.800 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T04N R44E S13 SWSE 30.00	T04N R44E S13 SESE	19.00
	49 ACRES TOTAL		

Right Nos. 22-256A and 22-2053B are limited to the irrigation of a combined total of 49 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 - License

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

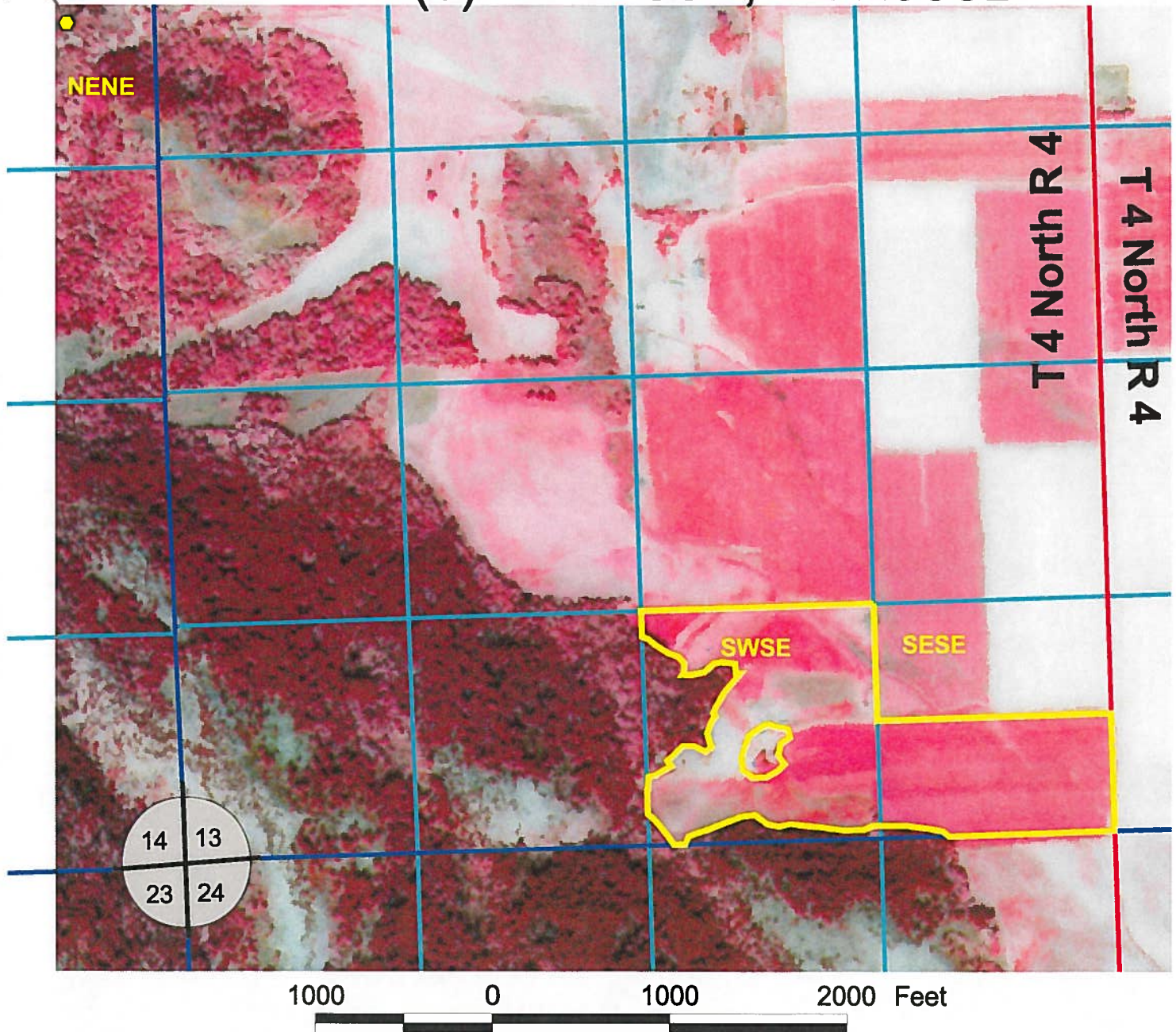
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-256A, 22-2053B



- Place of Use
- Points Of Diversion
- Township/Range
- Sections
- Quarter Quarter

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

RECEIVED
APR 24 2006
Department of Water Resources
Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. Indicate, by checking in the space provided, 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
22-11398	22-256A	☐			☐
22-11399	22-2053B	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$50
- 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) are 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)

George Henry Foster
Driggs IDAHO

4. New Owner/Claimant(s)

Verl S. or Lee Verl Foster
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 344

City, State and ZIP Code

Driggs IDAHO 83422

New Telephone Number

208-354-2546 or 354-3170

5. Date you acquired the property

May 11, 1994

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Verd S Foster
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee \$50-
 Received by gc Date 4-24-06 Receipt No. E031815
 Processed by _____ AJ Date _____ WR _____ Date _____

PLEASE RETURN TO: REF
TETON COUNTY, IDAHO - CRAFC
P.O. Box 50120
Idaho Falls, ID 83403

116159

RECEIVED

MAY 19 1994

TETON Co. Id.
Clerk Recorder

116159

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by Glen R. Foster, as personal representative of the Estates of George Henry Foster and Ruth Helen Miller Foster, deceased, Grantor, to Verl Steve Foster, Grantee, a married man as his sole and separate property, whose address is P.O. Box 344, Driggs, Idaho 83422.

WHEREAS, Grantor is the qualified personal representative of said estates, filed as Probate Number SP-93-28, in Teton County, Idaho; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee the following described real property in Teton County, Idaho:

Parcel 1:

Section 13, Twp. 4 North, Range 44 East, Boise Meridian, Teton County, Idaho:

SE1/4 SW1/4; SW1/4 SE1/4; S1/2 SE1/4 SE1/4; also

Beginning at the Southeast corner of Section 13, Twp. 4 North, Range 44 East, Boise Meridian, and running thence South 5 rods (82.5'); thence West 80 rods (1320'); thence North 5 rods; thence East 80 rods to the place of beginning, being a portion of the NE1/4 NE1/4, Sec. 24, Twp. 4 North, Range 44 East of the Boise Meridian

116159

FILED

AT THE REQUEST OF

Robert E. Farnam

AT 35 MINUTES PAST 2 P M

DATE May 19, 1994

Asa J. Drake

CLERK OF RECORDER

BY Nora Lighty

DEPUTY

Filed _____
Indexed _____
Platted _____

Parcel 2:

Section 4, Twp. 4 North, Range 45
East, Boise Meridian, Teton County,
Idaho:
NW1/4 SW1/4

Parcel 3:

Section 26, Twp. 5 North, Range 45
East, Boise Meridian, Teton County,
Idaho:

Tax No. 1765: Beginning 16 rods (264')
West of The Southeast Corner of SE1/4
NE1/4 and running thence North 80 rods
(1320'); thence West 14 rods (231');
thence South 80 rods; thence East 14
rods to the place of beginning.

Less the following three Tracts:

Tract 1:

Tax No. 1817: Beginning 16 rods (264')
West of the Southeast Corner of SE1/4
NE1/4; and running thence North 100 feet;
thence West 80 feet; thence South 100
feet; thence East to the place of beginning.

Tract 2:

Tax No. 2072: Beginning 344 feet West of
the Southeast Corner of the SE1/4 NE1/4
and running thence West 121 feet; thence
North 360 feet; thence East 121 feet;
thence South 360 feet to the place of
beginning.

Tract 3:

A portion of the SE1/4 NE1/4 of
Section 26, Township 5 North, Range
45 East, Boise Meridian, Teton County,
Idaho, being described as: From the
East Quarter corner of Section 26,
Township 5 North, Range 45 East,
Boise Meridian, West 495 feet along the

116159

Section Quarter line to the point of beginning; thence North 0°05'35" West 1323.12 feet to a point; thence East 7.00 feet to a point in the fenceline; thence South 0°25'35" East 1323.16 feet along the fence line, more or less, to a point; thence West 14.70 feet along the Section line to the point of beginning.

with all appurtenances.

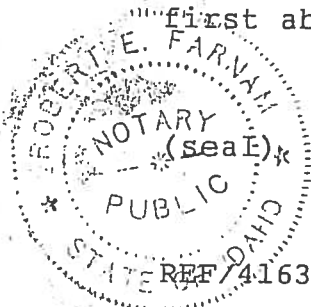
Executed this 11th day of May, 1994.

Glen R. Foster
Glen R. Foster
Personal Representative of the
Estates of George Henry Foster
and Ruth Helen Miller Foster,
deceased.

STATE OF IDAHO)
)ss.
County of Bonneville)

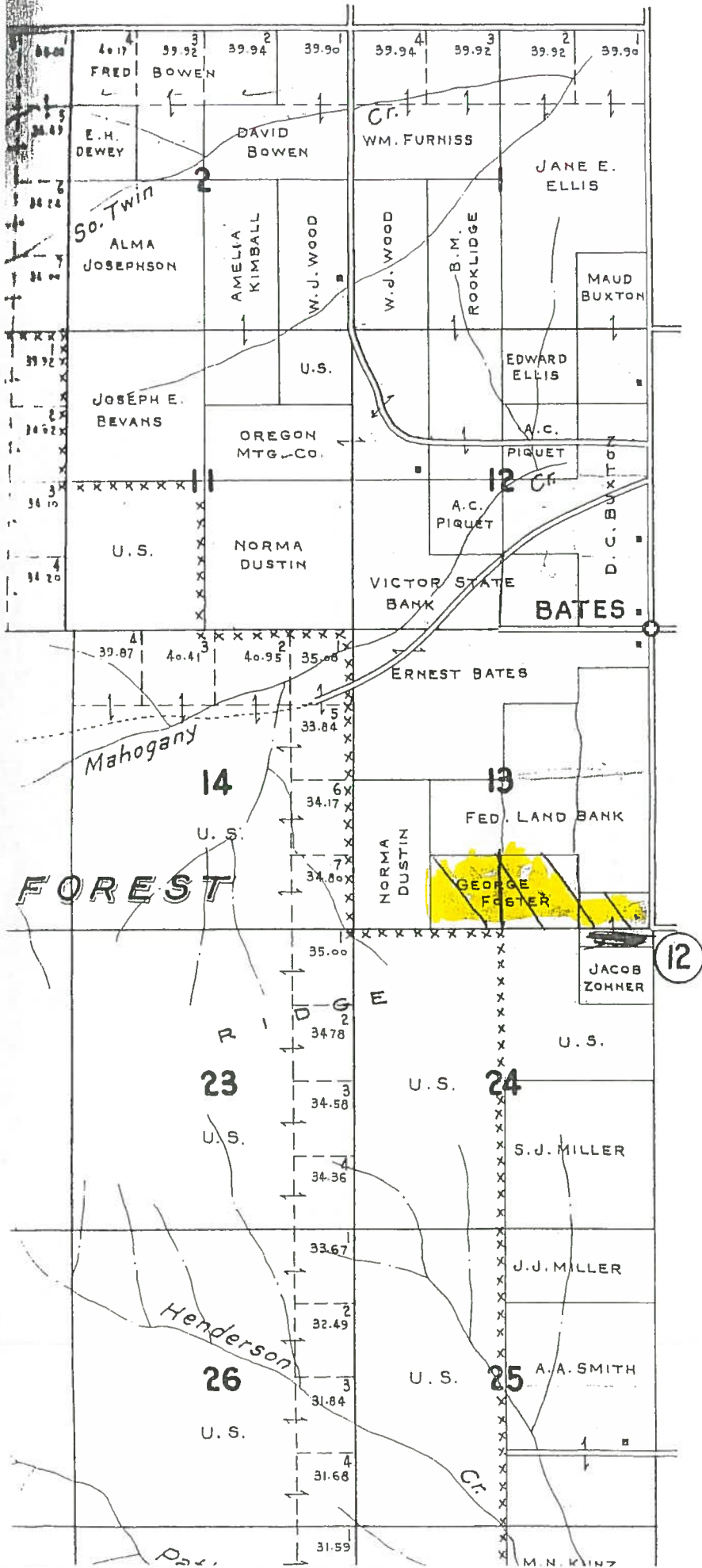
On the 11th day of May, in the year of 1994, before me, the undersigned, a notary public, in and for the State of Idaho, personally appeared Glen R. Foster, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estates of George Henry Foster and Ruth Helen Miller Foster and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Robert E. Farvam
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 11-12-98

REF/4163m/sjw



1- WALTER KUNZ
2- F. A. SHERVINTON

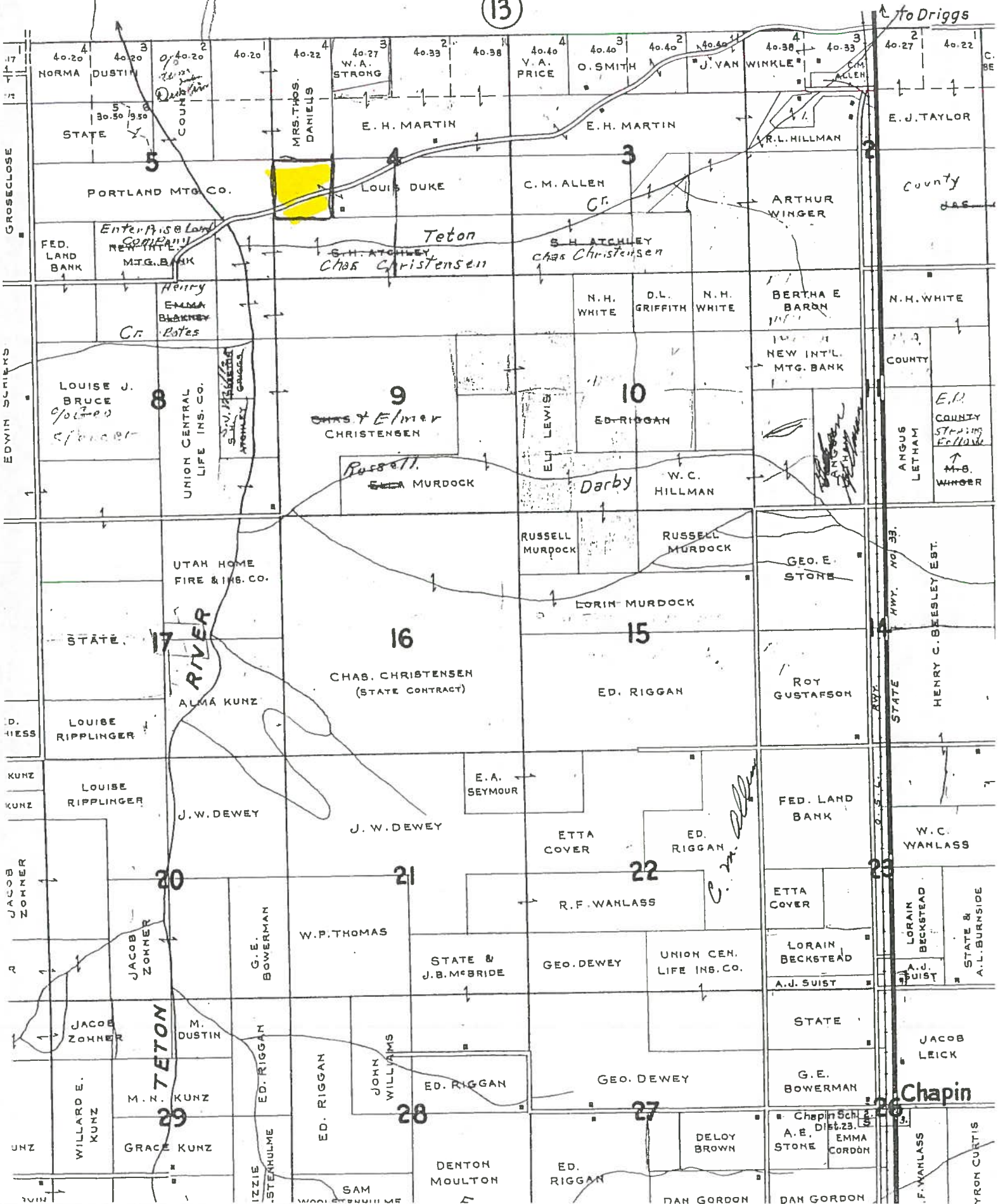
13- 4-44

6600A
TAX#

ER
ND, OREGON
WASHINGTON
WASHINGTON

TOWNSHIP 4 N., RANGE 45 E. TETON COUNTY, IDAHO

13



Split History 2-3-05 TG

22-2053 A .14 cfs $\Rightarrow$ Not claimed
Stays on licensed
Land

22-2053
Total 147 acres .94 cfs
30 NWNW
15 SWNW
2 NWSW
THV 4SE Sec 19

22-2053 B .8 cfs $\Rightarrow$ Claimed .8 cfs
Land: SWSE 30 ac
SESE 10 ac
POD: NE NE NE
Sec 14
THV 44E

POD: NW corner of SWSW
TSN 44E Sec 15

* accomplished change in POD + POW

Water Right No(s).

A 220 20 53 B



GPS DATA:

Tag # A0013804 Location: ON CONCRETE STRUCTURES

Diversion Data:

Source: Mphogany Creek Trib to: Teton River

MOTOR

Make: GRAVITY FLOW Model: _____ Hp: _____
SN: _____

PUMP

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

NOTES:

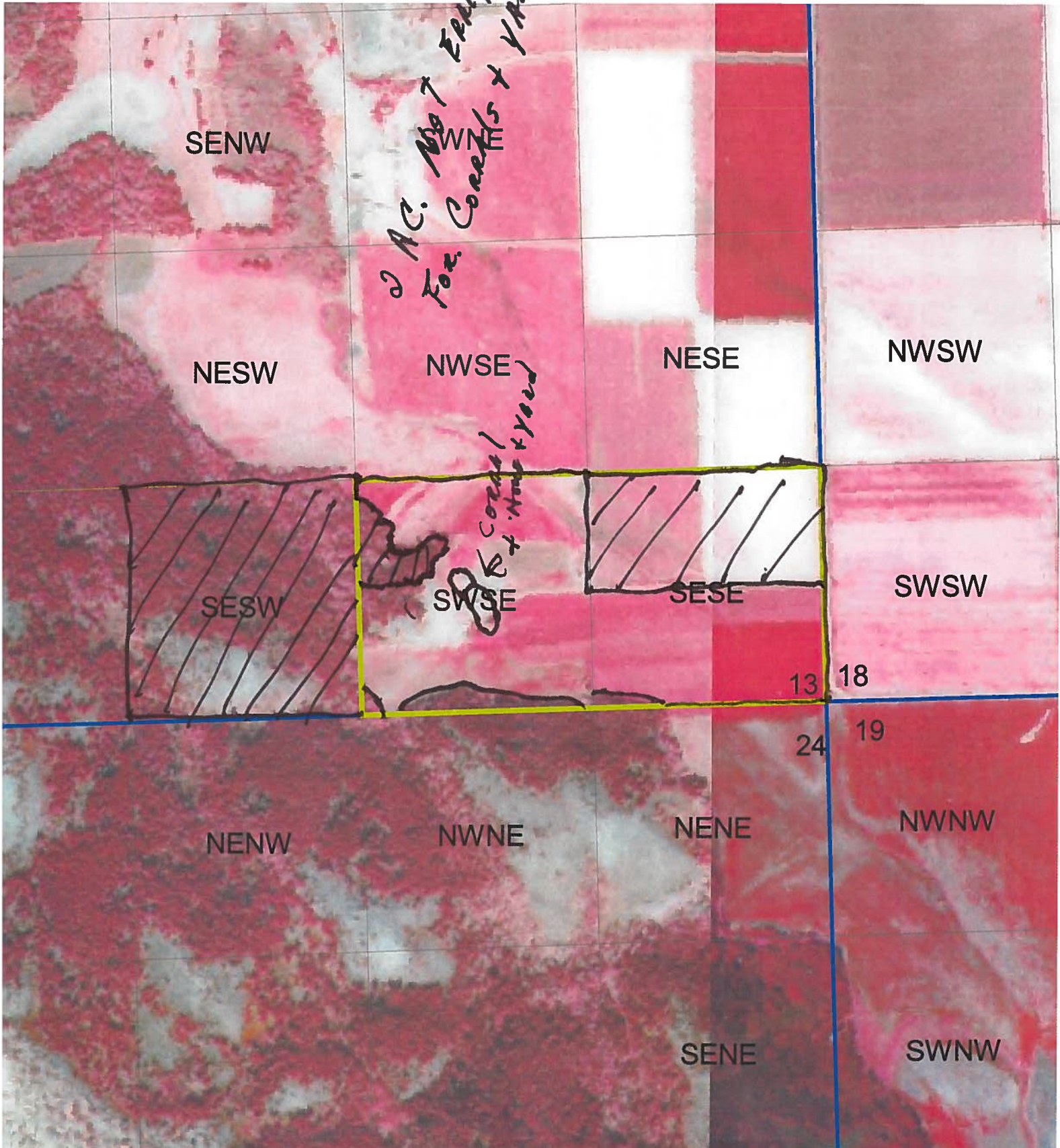
GEORGE FOSTER IS DECEASED NEED CHANGE
OF OWNER SHIP. TO VERL FOSTER. A SON I GAVE
HIM A CHANGE OF OWNERSHIP FORM.

Field Exam Date: _____

Agent: NICK OLSON

22-2053B

4N 44E



22 - 4162
 22 - 11398
 22 - 11399
 22 - 2053B
 22 - 11400
 22 - 256A

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

RETURN SERVICE REQUESTED

RUTH M FOSTER
 GEORGE H FOSTER
 386 S 500 W
 DRIGGS ID 83422

 ☐ Not Deliverable As Addressed
☐ Insufficient Address
☐ Mover Left No Address
☐ Unclaimed ☐ Refused
☐ Attention - Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Incomplete
☒ No Mail Recipient
☐ Box Closed No Order
☐ Returned For Better Address
☐ Postage Due

delivered

1860
 8936\$00.370 MAR 02 2004
 1079 MAILED FROM ZIP CODE 83402

U.S. POSTAGE
 PB3523907

 PINEY BOWLES

STATE OF IDAHO

--- OFFICE OF STATE ENGINEER ---

CERTIFICATE NO. 172, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted Gottlieb Zahner, of Bates, County of Teton, State of Idaho, to transfer the use of forty (40) inches of the waters of Mahogany Creek, in the County of Teton and State of Idaho, from the lands upon which it is now used, i.e., the NE of NW¹/₄ Sec. 13, T. 4 N., R. 45 E.B.M. and the NE of NE¹/₄ of NW¹/₄, Sec. 24, T. 4 N., R. 44 E.B.M., to the following described lands, to-wit: The SW¹/₄ of SW¹/₄, Sec. 13, T. 4 N., R. 44 E.B.M., said water to be diverted at a point near the northwest corner of the SW¹/₄ of SW¹/₄, Sec. 13, T. 4 N., R. 44 E.B.M.

The water right appurtenant to the above described lands was obtained by virtue of License No. 6166, issued by the State Engineer of the State of Idaho, dated June 18, 1910.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 6th day of December, 1915;

J. H. Smith,
State Engineer.

(SEAL)
D. 7-36 C

22 1915

01-
Identification No. _____
Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and or the Place of Use **APPROVED**

1. Name of Right Holder Trail Creek Sprinkler Irrigation Company, an Idaho Corporation, with its principal office in: Victor, Idaho
Post office address Victor, Idaho
2. Right created by See attached Exhibit "A".
a. Decree No. _____
b. Dated _____
Court County of _____
3. License No. _____ issued by the State of Idaho Department of Reclamation Game and Trail Creeks.
4. Source of water Tributaries of Teton River tributary to Snake River
Location of stream or source _____
5. Date of Priority Various. See attached Exhibit "B".
6. Amount of water from Game Cr. 20.4 cfs
from Trail Cr. 03.3 ~~cfs~~ cfs.
7. Water is used for irrigation & culinary from January 1 to December 31
(Month, Day) (Month, Day)
8. Original location of point of diversion N34°E 1/4 Sec. 11, Twp. 3 N., Rge. 45 E.B.M., Teton County.
Township 3 N., Range 45 E.B.M., Teton County.
Additional points of diversion if any, SE1/4SE1/4, NE1/4NW1/4, SW1/4NW1/4, SW1/4SE1/4 (2 diversions), all in Sec. 11; SE1/4NW1/4 (2 div.), NW1/4SE1/4, all in Sec. 13, all in Twp. 3 N., Rge. 45 E.B.M., and SW1/4SE1/4, Sec. 19, in Twp. 3 N., Rge. 46 E.B.M.

 Dec. 6, 197

For any information involving Transfer No. 1608, Please see File No. 22-0001.

M

Canal
Read

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point 83.7 c.f.s. and/or acre feet
- b. New point of diversion SW 1/4 SW 1/4 Section 19 Township 3
North 46 E. B.M.
North Range 46 E. B.M.
- c. Description of method of diversion and conveyance from new points of diversion: Water from
creeks crops into diversion structure and flows through buried
steel mainline down mountain slope to valley floor, and through
several branch mainlines to a standpipe on each stockholder's
premise, where stockholder attaches his own lateral line.
- d. Is water to be conveyed to the lands previously irrigated? Yes No
Mostly, the same lands, but with some changes.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Heretofore, the water was diverted from the creek channels through
lateral canals and ditches, as the creeks cut through the lands of
the stockholders, resulting in tremendous losses of water through
seepage, and the water would not reach the lower lands long enough
in the year to finish a crop. This system preserves water for a
longer season.
- f. Do you intend to make the transfer permanent? Yes, as to the amount transferred.
- g. Do you intend to abandon completely the old point of diversion? No, they shall be used
to divert the balance of the water owned by applicant to the lands
presently irrigated, as shown in paragraph 8.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	45 E.	1	-	25	-	40	39	37	39	25	37	38	34	-	19	-	-	-	362
		2	36	36	37	40	38	38	39	37	38	37	37	38	33	36	38	-	598
		3	38	44	35	34	40	39	39	40	40	21	35	38	38	37	37	-	596
		4	38	39	37	38	-	-	-	28	-	-	34	37	30	39	32	-	352
		9	35	34	39	39	39	27	32	40	40	40	-	39	38	38	40	40	564
		10	30	39	36	37	37	38	38	39	39	38	38	37	38	37	38	-	564
		11	32	30	35	32	39	20	10	33	37	37	37	27	23	17	10	-	418
		12	-	-	-	-	40	36	38	40	40	32	37	39	-	-	5	-	513
		13	-	20	3	-	38	37	23	32	-	-	-	12	15	37	9	-	218
		14	17	38	38	39	39	39	38	37	38	38	39	-	-	-	-	-	438
		15	37	35	32	32	40	4	40	39	39	40	39	39	37	39	-	-	614
		16	32	32	40	39	34	15	40	39	40	38	32	36	39	37	-	-	473
		17	39	30	-	10	28	24	-	-	-	-	-	-	-	-	-	-	32
		18	39	40	13	19	38	39	22	17	-	-	-	-	-	-	-	-	227
		23	-	-	-	-	39	39	34	38	-	-	-	-	-	-	-	-	150
		24	19	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	21
4N		55	-	-	-	-	-	-	-	-	-	-	-	4	-	14	41	-	59
		54	-	-	-	-	-	-	10	31	37	39	38	40	40	38	40	37	350
		55	-	-	-	-	-	-	39	40	37	39	40	40	37	36	40	-	308
		56	-	-	-	-	-	-	40	40	39	4	-	20	30	-	-	-	209

b. Do you intend to make the transfer permanent? Yes, as to the 83.7 c.f.s.

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No, they shall continue to be irrigated from the old points of diversion, with the balance of the water owned by applicant as shown on Exhibit "B". This is necessary, especially for culinary use, high water, and extra water to increase the level of "sub water".

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right. None

" Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk.

The information contained in this application is true to the best of my knowledge.

TRAIL CREEK SPRINKLER IRRIGATION COMPANY

By: President [Signature]
(signature of applicant)

Subscribed and sworn to before me this 20th day of August, 1969

[Signature]
(notary public)
Rexburg, Idaho

My commission expires 1-26-71

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1608

and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

This transfer shall not in any manner constitute an enlargement of the original right or rights.

2. Denial of said application is for the following reasons:

Witness my hand and seal this 20th day of August, 1969

[Signature]
State Reclamation Engineer

County Fremont
Stream Lahogany Creek
Amount 47/50ths per second
Use Irrigation
Priority 5-3-10

STATE OF IDAHO

Water License No. 6186

WHEREAS, On the 31st day of May, A. D. 1910,

GOTTLIEB ZAHNER,

of Baten County of Fremont State of Idaho, duly made application (No. 572) for a permit to use 2 cubic feet per second of the waters of LAHOGANY CREEK.

County of Fremont State of Idaho for irrigation and domestic purposes, and

WHEREAS, On the 18th day of June, A. D. 1910, Permit No. 6186 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 18th day of June, A. D. 1911, and for the application to beneficial use of said water on or before the 18th day of June, A. D. 1912 and

WHEREAS, On the 2nd day of October, A. D. 1912,

GOTTLIEB ZAHNER,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2 cubic feet per second of said waters, as evidenced by my Certificate No. 6186 dated November 30th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2 cubic feet per second of water, with date of priority of May 31st, 1910, and

WHEREAS, On the 2nd day of October, A. D. 1912,

GOTTLIEB ZAHNER,

the holder of said permit, duly made proof of the application to beneficial use of 47/50ths of one cubic feet per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

GOTTLIEB ZAHNER,

of Baten County of Fremont State of Idaho, the holder and owner of said Permit No. 6186, a perpetual right, dating from May 31st, 1910, to the use of 47/50ths of one cubic foot per second of the waters of LAHOGANY CREEK,

in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the Northeast corner of Section 14, Township 4 North, Range 44, East of the Boise Meridian,

and conducted to and upon 47 acres, divided as follows: 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 15 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19, Township 4 North, Range 45 East of the Boise Meridian,

for the purpose of irrigation and domestic use, subject however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 30th day of November, A. D., nineteen hundred and twelve.

(Seal)

A. E. Robinson,
State Engineer.

22 3053

REPORT OF ENGINEER

1. State name of applicant and number of permit: *John H. Pearson No. 6786*
2. State source of water supply: *Kahogany Creek*
3. Location of point of diversion: *N 2 1/2 E. 4 S. Sec. 18. Twp. 4 N. R. 10 E. S. 21 N.*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *Yes*
5. Describe works as they exist, giving dimension of same as follows:
 - (a) Width of conduit at bottom: *3 ft*
 - (b) Width at water line: *3 1/2 ft*
 - (c) Depth of water: *1 1/2 ft*
 - (d) Grade per mile: *60 ft*
 - (e) Capacity of ditch: *(576 hundred inches) 10 to 12* second feet
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *Water has been turned in at times to almost the full capacity of the ditch*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *N 1/2 NW 1/4 Sec 18 T 4 N R 10 E S 21 N. 19*
1/2 NW 1/4 Sec 18 T 4 N R 10 E S 21 N
In the North 1/2 30 acres under cultivation
In the Central 1/2 15 acres under cultivation
In the South 1/2 20 acres under cultivation
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch, ditches and cross-hatched lands to be irrigated.

Remarks:

STATE OF IDAHO

County of Fremont

Alma Henson being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

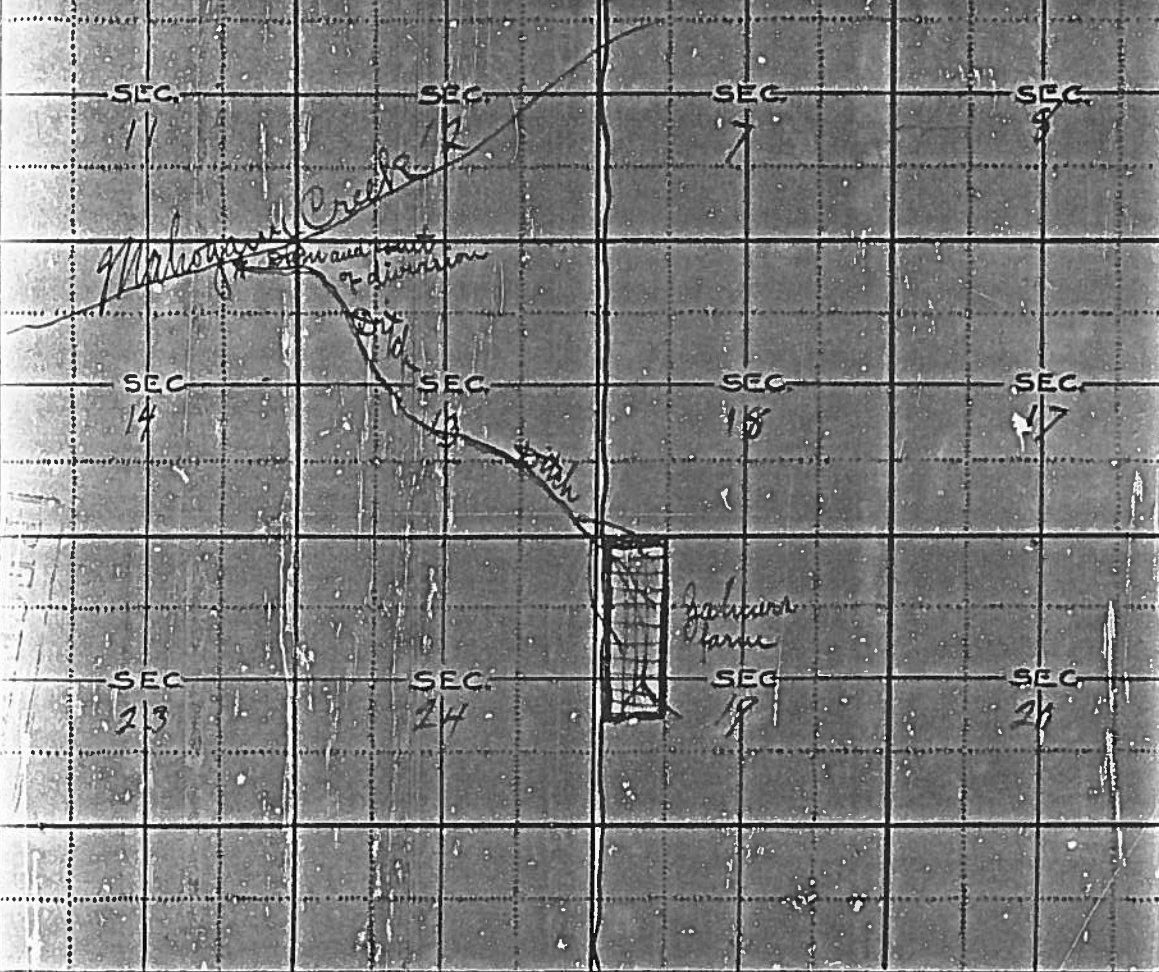
Subscribed and sworn to before me this *18th* day of *November* 191*2*

My Commission Expires *April 16, 1914*

Notary Public

Twp. 4 N. R. 44 E. B. 12

Twp. 4 N. R. 45 E. B. 12



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: A22-02053B
Date Received: 8/26/1988
Receipt No: E001844
Received By: EB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE H. FOSTER
Address: 386 S. 500 W. 208-354-2546
DRIGGS, ID 83422
OR
Name: RUTH M. FOSTER
Address: 386 S. 500 W. 208-354-2546
DRIGGS, ID 83422

2. Date of Priority: MAY 31, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	44E	14	NE	NE	NE		TETON

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE INSTREAM TO PIPELINE/GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

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

A.F.A.

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

9. Non-irrigation uses:
NONE

A22-02053B

Page 1

Date: 08/26/88

A2202053B



MICROFILMED

OCT 29 1992

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:
22-00256

14. Remarks:

APPEARS TRANSFER 172 INCORRECTLY REFLECTS THE ORIGINAL.
LICENSE AND RATHER FOLLOWS THE APPLICATION FOR TRANSFER.
ORIGINAL LICENSE IS FOR 47 INCHES FOR IRRIGATION.
TRANSFER 172 REMOVED 40 INCHES FROM THIS LEAVING 7 INCHES ON
UNSPECIFIED ACREAGE WITHIN ORIGINAL PLACE OF USE.
POINT OF DIVERSION KNOWN AS FOSTER, BATES AND BUXTON PIPELINE
WHICH WAS INSTALLED IN 1965 TO 1970. SEVERAL OWNERS USE WATER
FROM PIPELINE BY AGREEMENT.

15. Basis of Claim: LICENSE
Water Right Number: 6186

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: 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): George H. Foster Date: 26 Aug 1988
Ruth M. Foster Date: 26 Aug 1988

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of August 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.
My Commission Expires 22 Aug 1994

MADAGASCAR CREEK

T
4
N

A-222
A22-00256A
A22-02053B

A22-11398

SPRING

A22-11399
DOMESTIC
WELL

R44E

R45E

D
8
R44E
T4N

NOT TO SCALE

MICROFILMED

OCT 29 1956