

12/12/2006

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

RIGHT NUMBER: 22-10870
NAME AND ADDRESS: TERRANCE P BOTT
1352 W HWY 33
NEWDALE ID 83436

BOTT LAND INC
1356 W HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
7.200 AFY

PRIORITY DATE: 05/01/1947

POINT OF DIVERSION:

T06N R43E S3 SESENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.090 CFS 7.20 AFY
Domestic use is for 6 homes.		

PLACE OF USE: DOMESTIC in TETON County

T06N R43E S03 SWNE T06N R43E S03 SENW

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 - Beneficial Use

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

3 homes
1 bunk house
2 trailer houses
with lawns

09/28/2006

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: 22-10870

TERRANCE P BOTT
1352 W HWY 33
NEWDALE ID 83436
Telephone Number: (208)456-2868

BOTT LAND INC
1356 W HWY 33
NEWDALE ID 83436
Telephone Number: (208)456-2341

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 I AGREE with this proposed recommendation: no changes need to be made.
DATE: 10-10-06 SIGNATURE: Terrance P. Bott
Please print your name: Terrance P. Bott

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

RECEIVED
OCT 25 2006
Department of Water Resources
Eastern Region

KMD
10/25

09/19/2006

NOTICE OF ERROR
REPLY

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Please print your name: Terrance P. Bott

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

RECEIVED
OCT 25 2006
Department of Water Resources
Eastern Region

KMT
10/25



Idaho Department of Water Resources

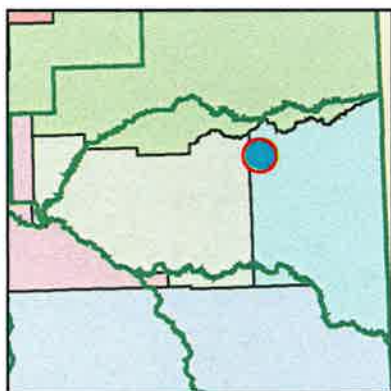
SRBA Recommendation:

22-10870

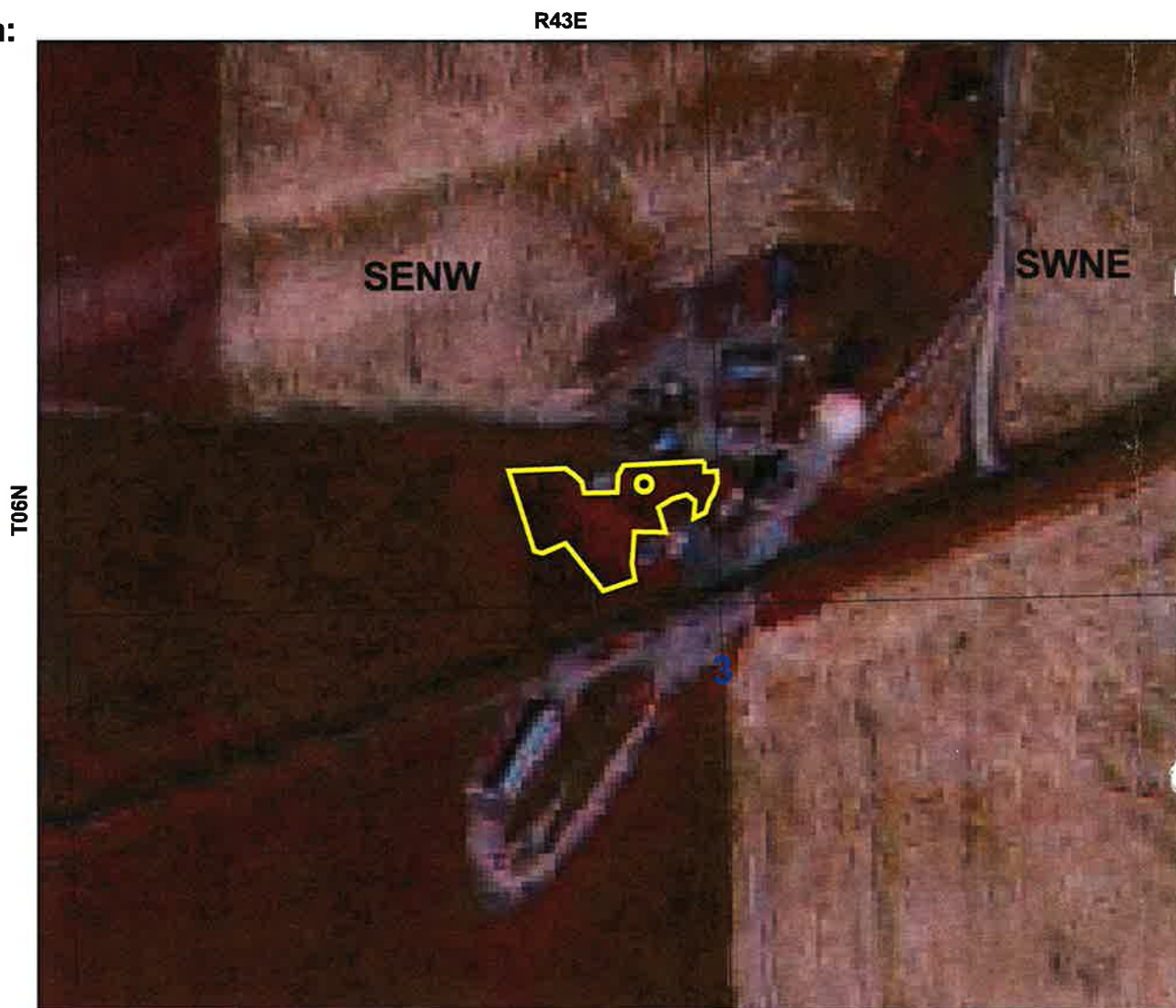
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0 0.1 0.2 Miles

Prepared by T. Galbraith
On Friday, September 8, 2006
1987/88 Aerial Photography

02/22/2005

**NOTICE OF ERROR
REPLY**

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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: 6-28-05 SIGNATURE: Terrance P. Bott
Please print your name: Terrance P. Bott

IDWR Regional Office,

PROFILED

SCANNED

JUL 01 2005

RECEIVED
JUN 29 2005
Department of Water Resources
Eastern Region

Handwritten:
Kant
6/30

Feb 16, 2005

State of Idaho Department of Water Resources

To whom it may concern.

On May 01, 1947, I was present when this well was completed.

BOTTH AND INC.

DeWain Batt - Pres.
Newdale, Id. 83436

JOANNA TENNANT
NOTARY PUBLIC
STATE OF IDAHO

SUBSCRIBED & SWORN TO BEFORE ME
THIS 16 DAY OF Feb
Joanna Tennant
NOTARY PUBLIC
RESIDING AT Reynolds IDAHO
MY COMMISSION EXPIRES 8/24/07

SUBSCRIBED & SWORN TO BEFORE ME
THIS _____ DAY OF _____

NOTARY PUBLIC
RESIDING AT _____ IDAHO
MY COMMISSION EXPIRES _____

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APR 08 2005

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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: A22-10870
Date Received: 8/11/1988
Receipt No: E001242
Received By: Kca

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOTT LAND, INC. 208-458-4966
Address: ~~HC 60 BOX 1143~~ 1356 W. Hwy 33
NEWDALE, ID Newdale Id 83436
OR
Name: TERRANCE P. BOTT 208-456-2868
Address: ~~HC 60 BOX 1143~~ 1356 W. Hwy 33
NEWDALE, ID 83436

A2210870



2. Date of Priority: MAY 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	43E	3	SE	SE	NW		TETON

5. Description of diverting works:
WELL PUMP MAINLINE TO THREE DOMESTIC HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	04/01	11/01	0.030		

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

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/TWO DOMESTIC HOMES

A22-10870

Page 1

Date: 08/11/88

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APR 08 2005

MICROFILMED
NOV 06 1992



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

February 9, 2005

BOTT LAND INC
HC 60 BOX 1143
NEWDALE ID 83436

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10870

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date MAY 1, 1947, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have

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Contacts Data Entry Form

Water Right No. A.221870

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner BOTT Land Inc. 2 TERRANCE BOTT
Name connector: and _____, or _____, and/or _____
Current Owner _____
Current Owner _____

Representing Attorney: BOTT LAND, INC Phone Number: 458-4266 NO GOOD

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (If different from above) and/or update owner information:

B. U. Claim

Recommend AS CLAIMED w/ Priority EVIDENCES. MEASURES
NOT ROAD < 0.20 cts

N10
N12

2/12/04 Priority EVIDENCES REQUEST MAILED.
2/24/04 CALLED T. Bott - Mess to call RE: Q below # Homos?

Q: Claim #5 STATES "...THREE DOMESTIC HOMOS"
Claim #9 STATES "D/TWO DOMESTIC HOMOS"
which is which?

Reviewer: _____

Date: _____

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Priority Date Data Entry Form

Claim Number: A2210870

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1 May 1947 Claimed Basis: B. U.Recommended Priority Date: 1 May 1947 Recommended Basis: B. U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

B. U. Claim - Priority Evidence received

Reviewer: _____

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Date: _____

APR 08 2005

PRO

Point of Diversion and Source Data Entry Form

Claim Number: A2210870

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 6N, R 43E Sec. 3, SE, SE, NW. County: TetonSource: Ground Water Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? CPS TAG #

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

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APR 08 2005

PROHIBITED

Place Of Use Data Entry Form

Claim Number: A2010870☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10N	43E	3	SE	NW	Teton		1.0	Irrigation
"	"	"	SE	NW	"			Domestic

Total Acres 1

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10N	43E	3	SE	NW	Teton		1.5	Irrigation
"	"	"	"	"	"			Domestic

Total Acres 1.5

Document how the POU was verified:

Claim was for 1.0, GIS found 1.5 acres. Claim has enough water for 1.5 acres.

Transfers Changing POU _____

Reviewer: _____

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APR 08 2005

Date:

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Period of Use and Quantity Data Entry Form

Claim Number: A2210820

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/1	11/1	10.3 CFS	
DOMESTIC	1/1	12/31	10.6 CFS	

Overall Diversion Rate 10.9 CFS Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Domestic	1/1	12/31	0.06	
Prng	4/15	10/31	0.03	

Overall Diversion Rate 0.06 cfs Overall Diversion Volume 45.4 AFA

Document how the Period of Use and/or Diversion Rate were verified:

F DWR STD 504 1/1 - 12/31 Domestic
4/15 - 10/31 Irrigation
Volume = 2.0 + (1.9835)(365)(0.06) = 45.4 AFA

Cond
 N10
 N12

Reviewer: _____

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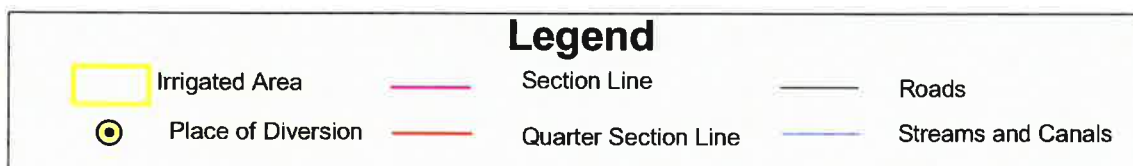
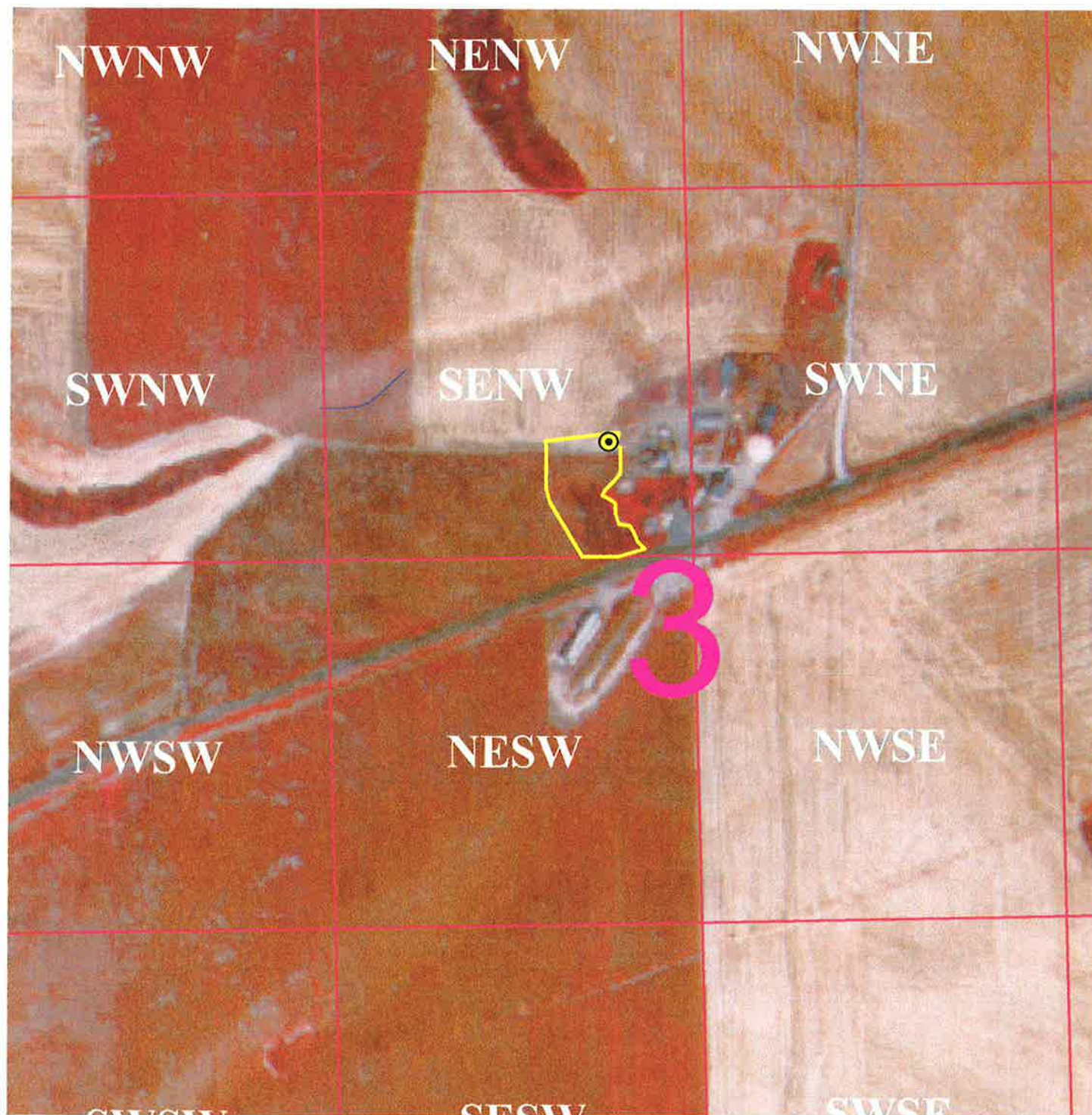
Date: _____

APR 08 2005

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Water Right Claim Number 22-10870
Township , 6N43E

08/21/2001



400 0 400 800 Feet



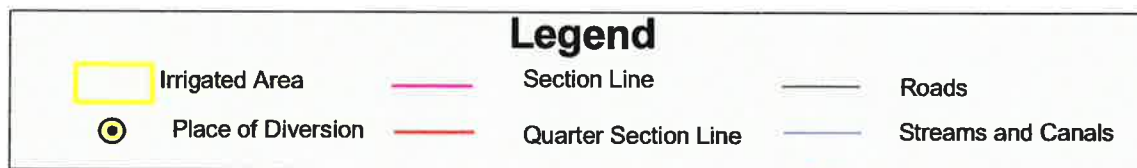
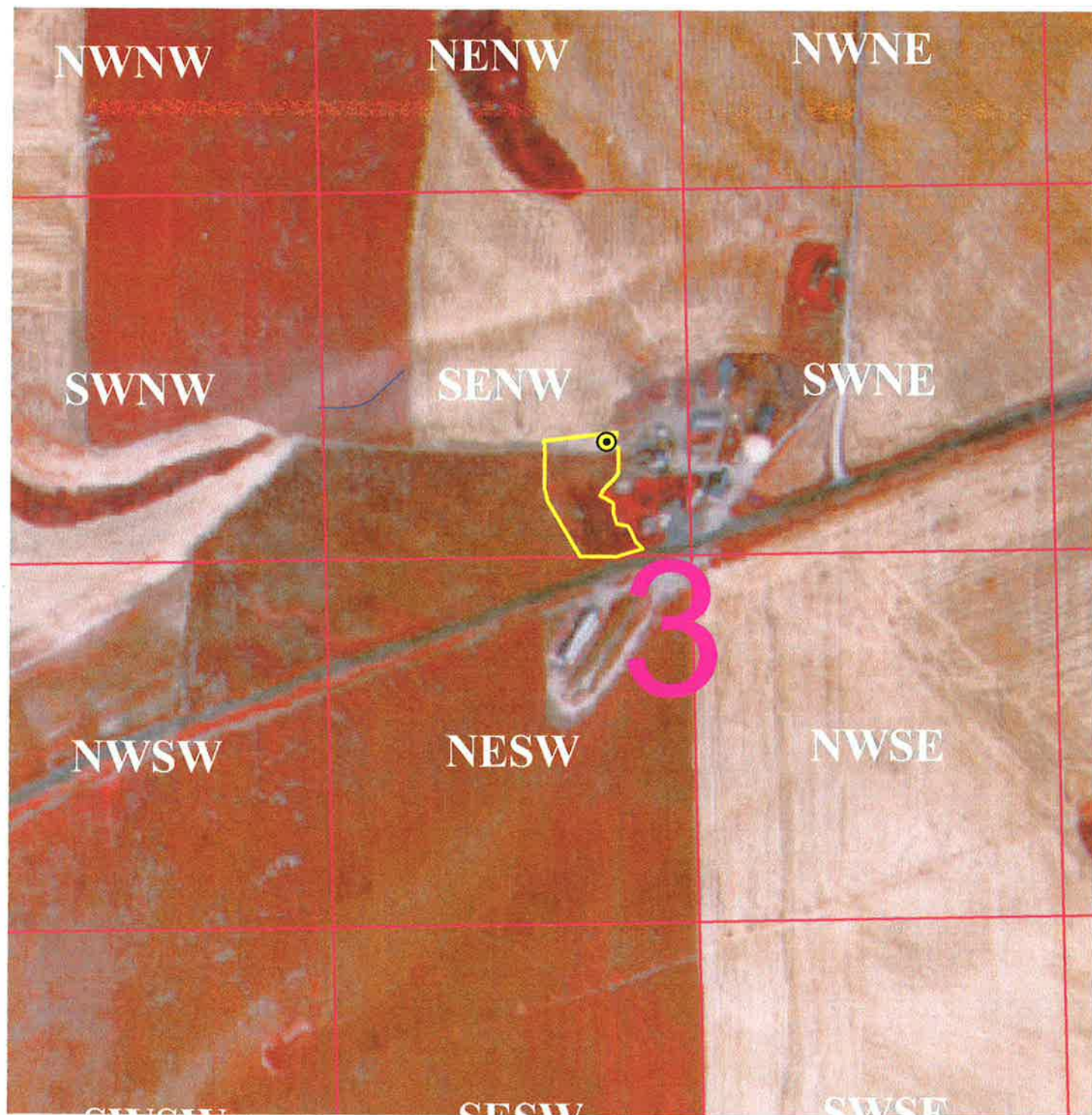
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APR 08 2005

SPATIAL
DYNAMICS

Water Right Claim Number 22-10870
Township , 6N43E

08/21/2001



400 0 400 800 Feet



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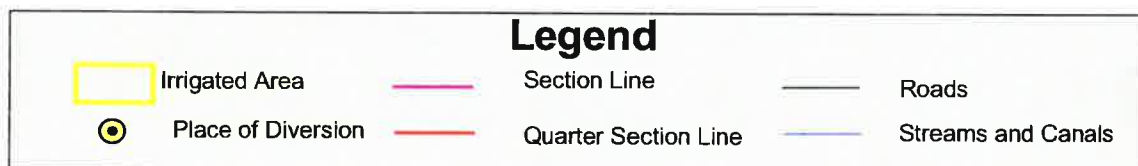
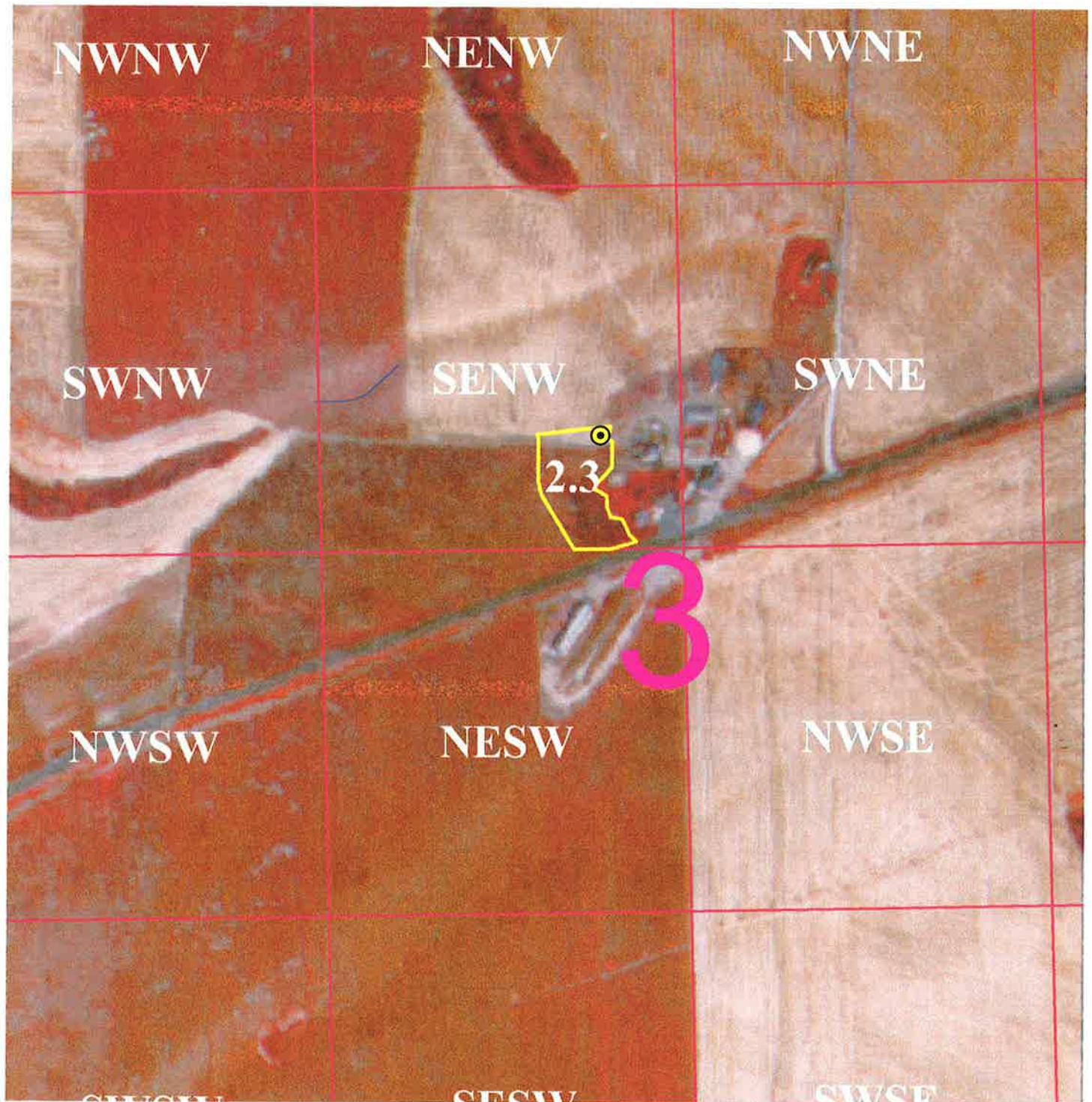
APR 08 2005



SPATIAL
DYNAMICS

Water Right Claim Number 22-10870
Township , 6N43E

08/21/2001



400 0 400 800 Feet



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APR 08 2005

SPATIAL
DYNAMICS

Log for claim 22-10870

Spatial Dynamics BTD

8/21/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n43e	3	SEnw	1	2.3	Indiscernible
Totals:			1	2.3	

 SPATIAL
DYNAMICS
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APR 08 2005

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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: A22-10870
Date Received: 8/11/1988
Receipt No: E001242
Received By: Kca

451

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOTT LAND, INC. 208-458-4966
Address: HC 60 BOX 1143
NEWDALE, ID 83436
OR
Name: TERRANCE P. BOTT 208-456-2868
Address: HC 60 BOX 1143
NEWDALE, ID 83436

A2210870



2. Date of Priority: MAY 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	43E	3	SE	SE	NW		TETON

5. Description of diverting works:
WELL PUMP MAINLINE TO THREE DOMESTIC HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	04/01	11/01	0.030		

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

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/TWO DOMESTIC HOMES

A22-10870

Page

1

Date: 08/11/88

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NOV 06 1992

10. Place of Use:

Township 06N	Range 43E	Section 3	1/4 SE	of 1/4 NW	Lot	Use IRR DOMEST	Acres 1.0
						Section Acres	1.0
						Total Acres	1.0

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:
NONE

14. Remarks:
THIRD HOME ADDED TO SYSTEM IN 1982 AND WILL BE CLAIMED UNDER A
SEPARATE ADJUDICATION CLAIM

15. Basis of Claim: BENEFICIAL USE

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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 Organizations:

I do solemnly swear or affirm that I am President of
BOTT Land Inc., that I have signed the foregoing
document in the space below as President of
BOTT Land Inc. and that the statements contained in the
foregoing document are true and correct.

De. Mar. Bott
Signature of Authorized Agent

President
Title and Organization

8-11-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of August 19 88

Betty J. Thompson
Notary Public

Seal



Residing at Idaho Falls

My Commission Expires 6-94

NOV 06 1992
A22-10870

APR 08 2005

SCANNED

PROFITED

