

12/18/2006

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

RIGHT NUMBER: 22-11526
NAME AND ADDRESS: ANDERSON DAIRY INC
C/O GLENN COON P O BOX 560
LAS VEGAS NV 89125
SOURCE: UNNAMED STREAM TRIBUTARY: TETON RIVER
QUANTITY: 1.200 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:
T03N R45E S5 NESWNE Within TETON County
T03N R45E S5 SWSENE Within TETON County
T03N R45E S5 NENESE 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	1.200 CFS

PLACE OF USE: IRRIGATION in TETON County
T03N R45E S05 Lot 2 NWNE 5.80 T03N R45E S05 Lot 3 NENW 26.00
T03N R45E S05 SENW 30.00

61.8 ACRES TOTAL

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

This right is a split from former right 22-88.



Idaho Department of Water Resources

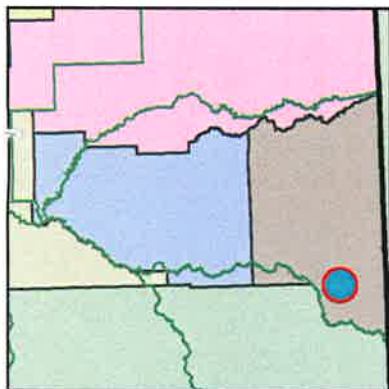
SRBA Recommendation:

22-11526

(Irrigation)

Legend

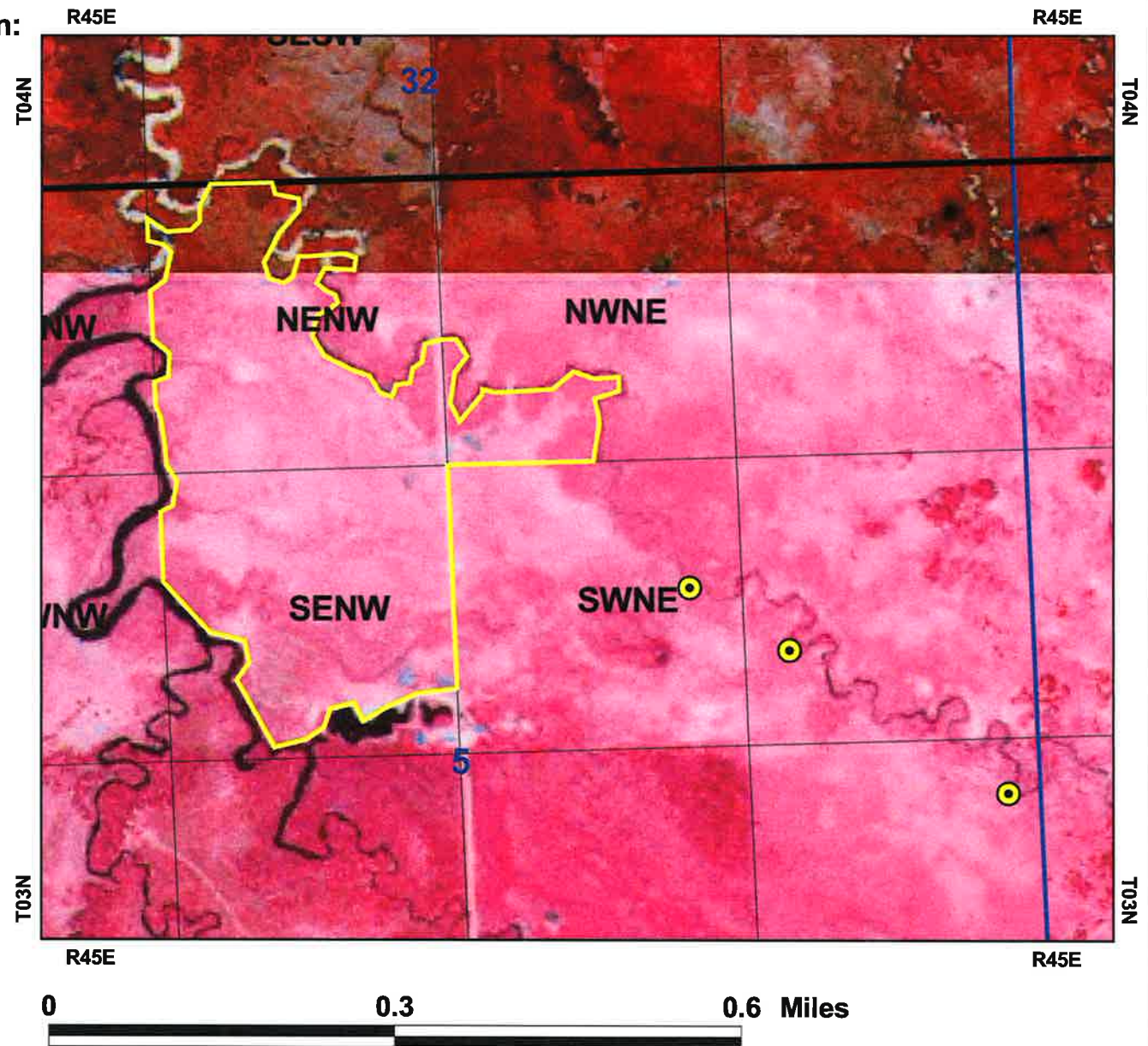
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by A. Golart
On Monday, December 18, 2006
1987/88 Aerial Photography



OF WATER
DISTRICT
N. SKYLINE DR.
ALLS, IDAHO 83402

★ ★  TM
U.S. POSTAGE
1121 PB3523907
8972 \$00.630 JAN 05 2007
8164 MAILED FROM ZIP CODE 83402

ADDRESS SERVICE
REQUESTED

RECEIVED
JAN 16 2007

Department of Water Resources
Eastern Region

ANI
C/O
LAS

BOX 560

22-11526
22-11529
22-11530

Sent
1-19-07

22-480C 129H
136G

22-621A 78

13290

7029

13372

84

13413

7349

7388

13246

11526

7373

7339

13248

11529

13590

12064

13610

11530

13540

2128

13612

350

10835

133A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

2281

278

EASTERN REGION

7338

12533

7178

IDAHO FALLS ID

208-525-7161 - PHONE

276A

12629

7215B

208-525-7177 - FAX

408B

2146

12239

409B

4076

2206

410B

184A

11677

TRANSMITTAL COVER SHEET

OMNIFAX

641D

10105

178A

10132

2293

178B

FAX: 354-8410

TO: JESSIE

FROM: JENNIFER

Teton County Assessor

11384

10236

4139

13457

4161

7403

DOCUMENT DESCRIPTION: REQUEST FOR CURRENT OWNER INFORMATION. I HAVE SENT A SPREADSHEET INDICATING WHO WE HAVE IN OUR RECORDS AND THEIR LEGAL DESCRIPTION OF THEIR PROPERTY. EACH OF THESE LETTERS WAS RETURNED TO SENDER. PLEASE FILL OUT THE

LAST COLUMN WITH THE OWNER AND ADDRESS INFORMATION FOR THE PROPERTY LISTED. I HAVE ATTACHED A MAP FOR EACH PROPERTY WHEN I HAD ONE AVAILABLE.

PLEASE CALL ME WITH ANY QUESTIONS. THANKS SO MUCH FOR YOUR HELP.

TOTAL NUMBER OF PAGES (Including this page):

X 13

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* Billing address: N/A

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* No of Pages _____ Cost / Page _____ Total Charge N/A

*

of Larby Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph VIII of the Findings of Fact.

22 00834. That the plaintiff, Lorin Murdock, be awarded the use of .8 cubic foot per second or 40 miners inches of the waters of Price Springs with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph IX of the Findings of Fact.

22 00835. That the plaintiff, V. A. Price, be awarded the use of .8 cubic foot per second or 40 miners inches of the waters of Crandall Springs with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph X of the Findings of Fact.

22 00856. That the plaintiff, D. C. Beckstead, be awarded the use of 2 cubic feet per second or 100 miners inches of the waters of Teton Creek with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XI of the Findings of Fact.

22 00867. --That the plaintiff, Fred Dirksen, be awarded 8 cubic feet or 400 miners inches of the waters of Blodgett, Crail and Clear Creeks with a priority date of January 22, 1916, with points of diversion and for the irrigation of the lands described in paragraph XII of the Findings of Fact.

22 00878. That the plaintiff, G. F. Bailey, be awarded 1.6 cubic feet per second of the waters of Clear Creek with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XIII of the Findings of Fact.

22 00889. That the plaintiff, B. F. Blodgett, be awarded the use of 8 cubic feet per second or 400 miners inches of the waters of Blodgett Spring or Creek and an unnamed creek, with a priority date of January 22, 1916, with points of diversions and for the irrigation of the lands described in paragraph XIV of the Findings of Fact.

6.2 cfs x 61.8 acres = 1.236 cfs

22-80 Tm 22-95

22-ES Griggs vs. Crandall W.M.

of Blodgett, Crail and Clear Creeks, with points of diversion and use upon the lands above described. That on or before and ever since the 22d day of January, 1916, has diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigating season the above quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiff.

22-0087

XIII.

That the plaintiff, G. P. Bagley, is the owner of or has an estate in the following described lands, to-wit:

The NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 8 in township 3 north, range 45 E.B.M. containing 40 acres, more or less,

and is the owner of certain ditches by and through which he diverts water from Clear Creek for the irrigation of the above described lands; with point of diversion and diversion works located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 8 in township 3 north, range 45 E.B.M.; that the plaintiff, or his predecessor in interest, has diverted 1.6 cubic feet per second or 80 miners inches of the waters of Clear Creek, with point of diversion and use upon the lands above described. That on or before and ever since the 22d day of January, 1916, has diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigating season the above quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiff.

22-0088

XIV.

That the plaintiff, B. F. Blodgett, is the owner of or has an estate in, the following described lands, to-wit:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 5, in township 3 north, range 45 E.B.M. NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 5 in township 3 north, range 45 E.B.M. and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 32 in township 4 north, range 45 E.B.M. containing 200 acres more or less,

and is the owner of a certain ditch by and through which he diverts water from Blodgett Spring or Creek and an unnamed creek for the irrigation of the above described lands; With points of diversion

and diversion works located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 5, township 3 north, range 45 E.B.M. on Blodgett Creek, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 5 in township 3 north, range 45 E.B.M. on Blodgett Creek and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 5 in township 3 north, range 45 E.B.M. on said unnamed creek. That the plaintiff, or his predecessor in interest, has diverted 8 cubic feet per second or 400 miners inches of the waters of Blodgett Creek and a certain unnamed creek, with point of diversion and use upon the lands above described; that on or before and ever since the 22d day of January, 1916, has diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigation season the above quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiff.

22-0089

XV.

That the plaintiff, Mary Lulu Kearsley, is the owner of, or has an estate in the following described lands, to-wit:

The NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 17 in township 3 north, range 45 E.B.M. containing 80 acres more or less,

and is the owner of a certain ditch through which she diverts water from Pine Creek for the irrigation of the above described lands, with point of diversion and diversion works located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 17 in township 3 north, range 45 E.B.M.; that the plaintiff or her predecessor in interest, has diverted 1.6 cubic feet per second or 80 miners inches of the waters of Pine Creek, with point of diversion and use upon the lands above described; that on or before and ever since the 22d day of January, 1916, had diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigating season the above quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiff.

22-0090

XVI.

That the plaintiff, E. N. Kearsley, is the owner of or has an estate in, the following described lands, to-wit:

Dec 13 08 10:34a

Lund, 1st.

20074511

p.6

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 22-11526
Date Received: 9/12/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ANDERSON DAIRY INC Phone: (702)642-7507 Attn: Harold Bellanger
~~C/O GLENN COON P O BOX 560~~ 801 Searles Ave.
LAS VEGAS NV USA ~~89125~~ 89101

2. Date of Priority: 01/22/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	45E	5	SE NE	TETON	

5. Description of diverting works:

HEADGATE WITH DITCHES TO P/O

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.8	

7. Total Quantity Appropriated is:
1.8 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
03N	45E	5	SE NW	IRRIGATION	32
			NW NE	IRRIGATION	20
			NE NW	IRRIGATION	38
Section Acres					90
Total Acres					90

11. Place of use in counties: TETON

Dec 13 06 10:34a

Lund st

20074511

P.7

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This right is based on a portion of 22-00088.

15. Basis of Claim: Decreed

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 X 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
Anderson Dairy Inc _____ Title
Organization, that I have signed the foregoing
document in the space below as President of

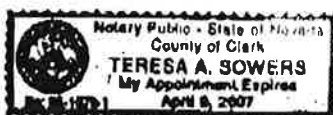
Anderson Dairy Inc. _____ and that the statements contained in the
Organization
foregoing document are true and correct. [Signature]
Signature of Authorized Agent

President, Anderson Dairy Inc.
Title and Organization

December 14, 2006
Date

State of ~~Idaho~~ Nevada)
County of Clark) ss.

Subscribed and sworn (or affirmed) before me this 14th day of December 2006



[Signature]

Notary Public

Residing at Las Vegas, NV

My commission Expires April 8, 2007