

11/10/2006

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

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RIGHT NUMBER: 22-13151

NAME AND ADDRESS: JAMES DOUGLAS  
427 W 325 N  
TETONIA ID 83452

SOURCE: FOX CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.310 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:  
T04N R45E S34 NWNWNW 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          | 0.310 CFS       |
| PLACE OF USE: | <u>IRRIGATION in TETON County</u> |                      |                 |
|               | T04N R45E S28 NESE 11.00          | T04N R45E S28 SESE   | 23.00           |
|               | 34 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

Right No. 22-13153 is also diverted through point of diversion described above.

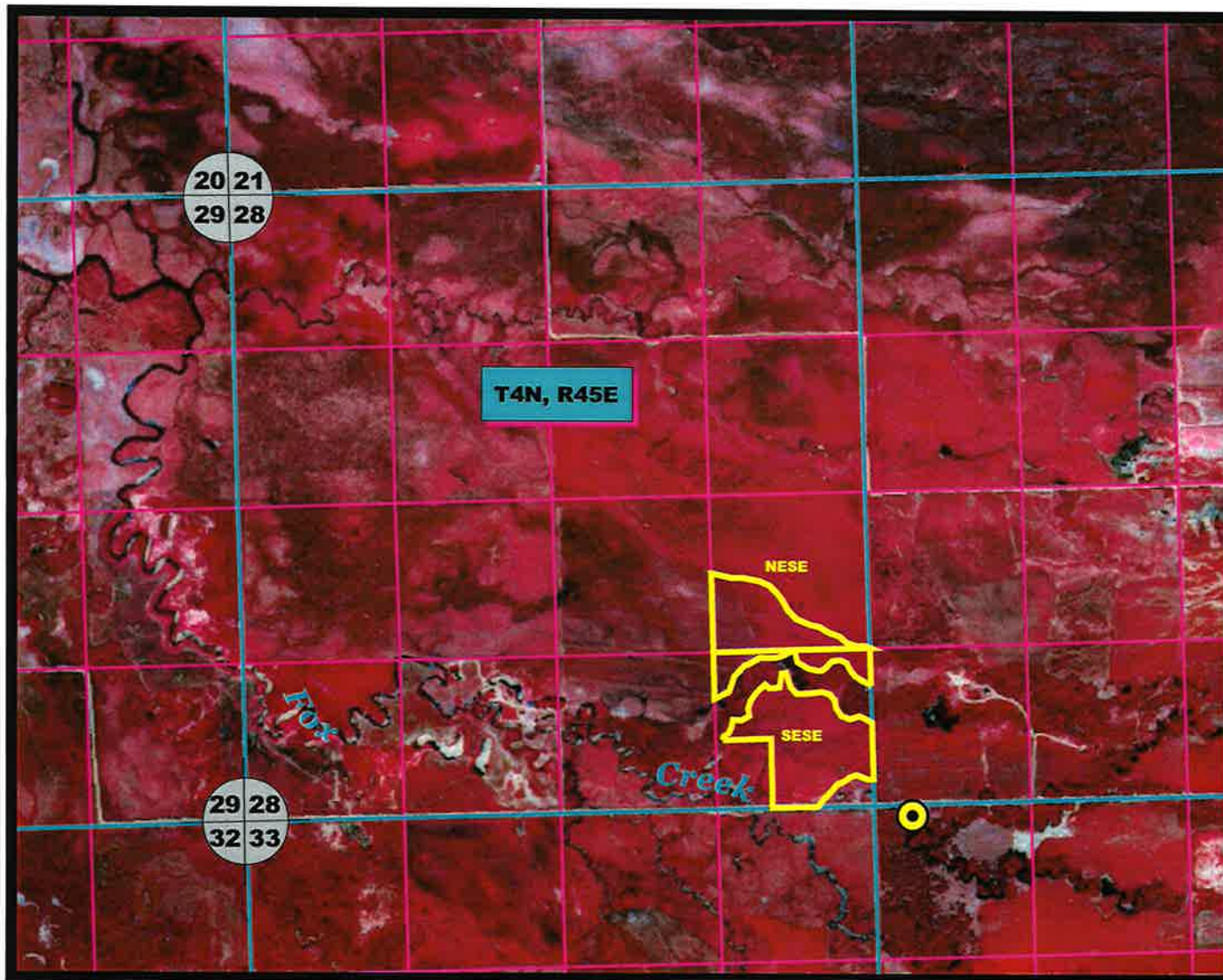
This right is a split from former right 22-360A



# State of Idaho

## Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 Feet

**Water Right(s):**

**22-13151,**

**22-13153**

**Point(s) of Diversion:**

**T4N, R45E**

**Sec. 34 NWNWNW**

**Place of Use: (parts of)**

**T4N, R45E**

**Sec.28 E2SE**

### LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



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

11/10/2006

**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: 22-13151

JAMES DOUGLAS  
427 W 325 N  
TETONIA ID 83452

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: 12-11-06

SIGNATURE:

James Douglass

Please print your name:

James Douglass

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



# Idaho Department of Water Resources

SRBA Recommendation:

**22-13151**

**22-13153**

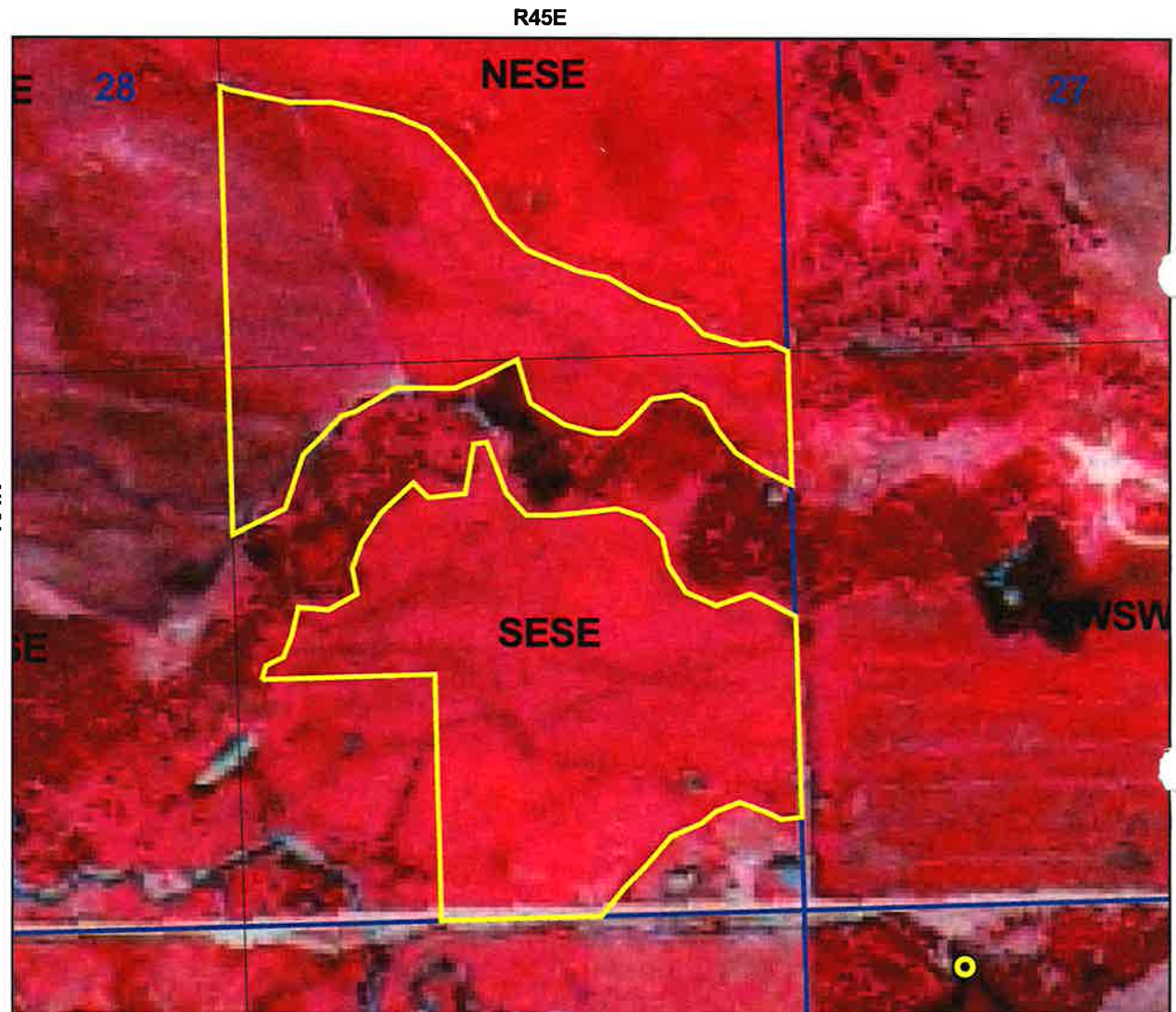
(Irrigation)

## Legend

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

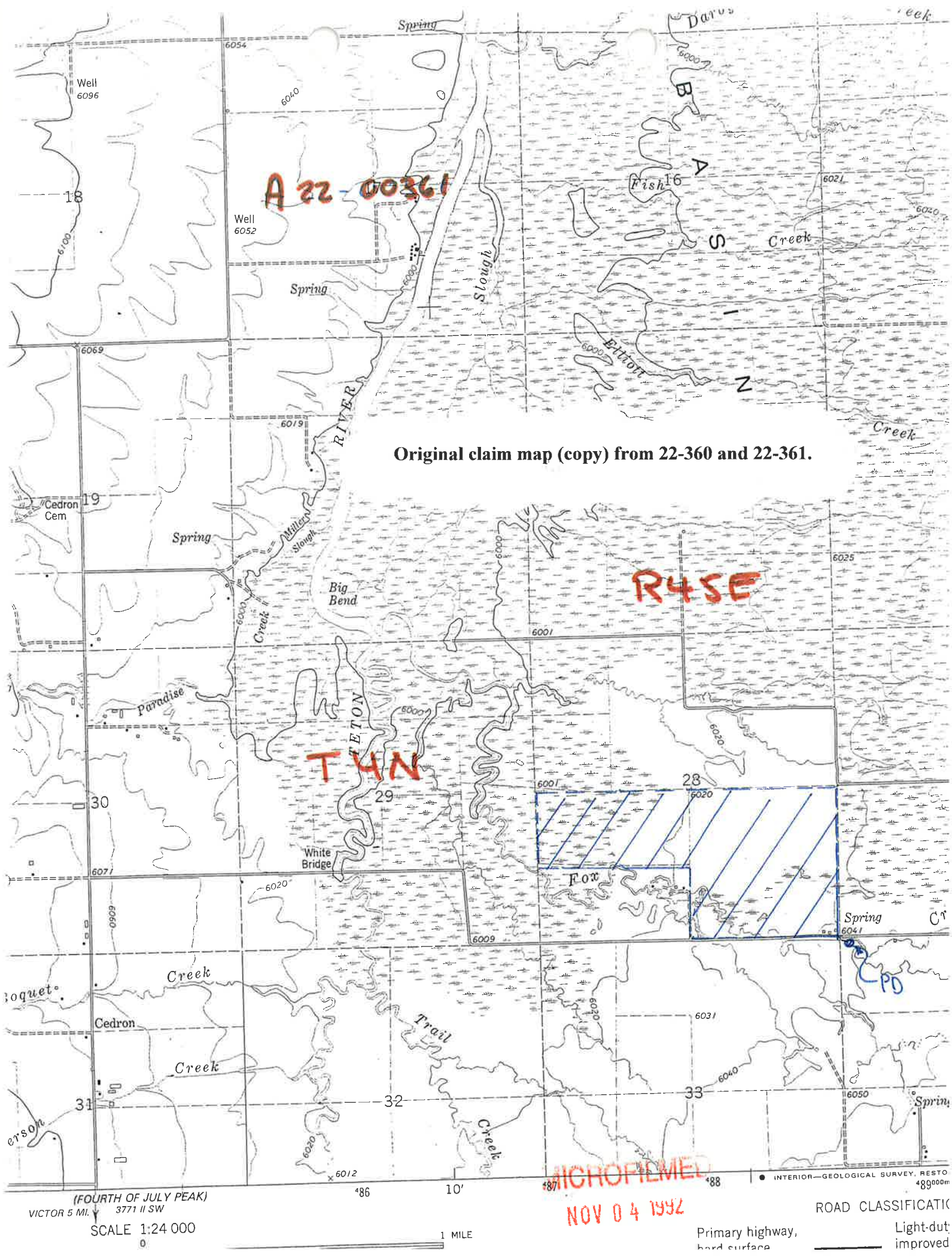


Teton County  
IDWR Basin 22



0 0.2 0.4 Miles

Prepared by T. Galbraith  
On Friday, November 10, 2006  
1987/88 Aerial Photography



Original claim map (copy) from 22-360 and 22-361.

ROAD CLASSIFICATI

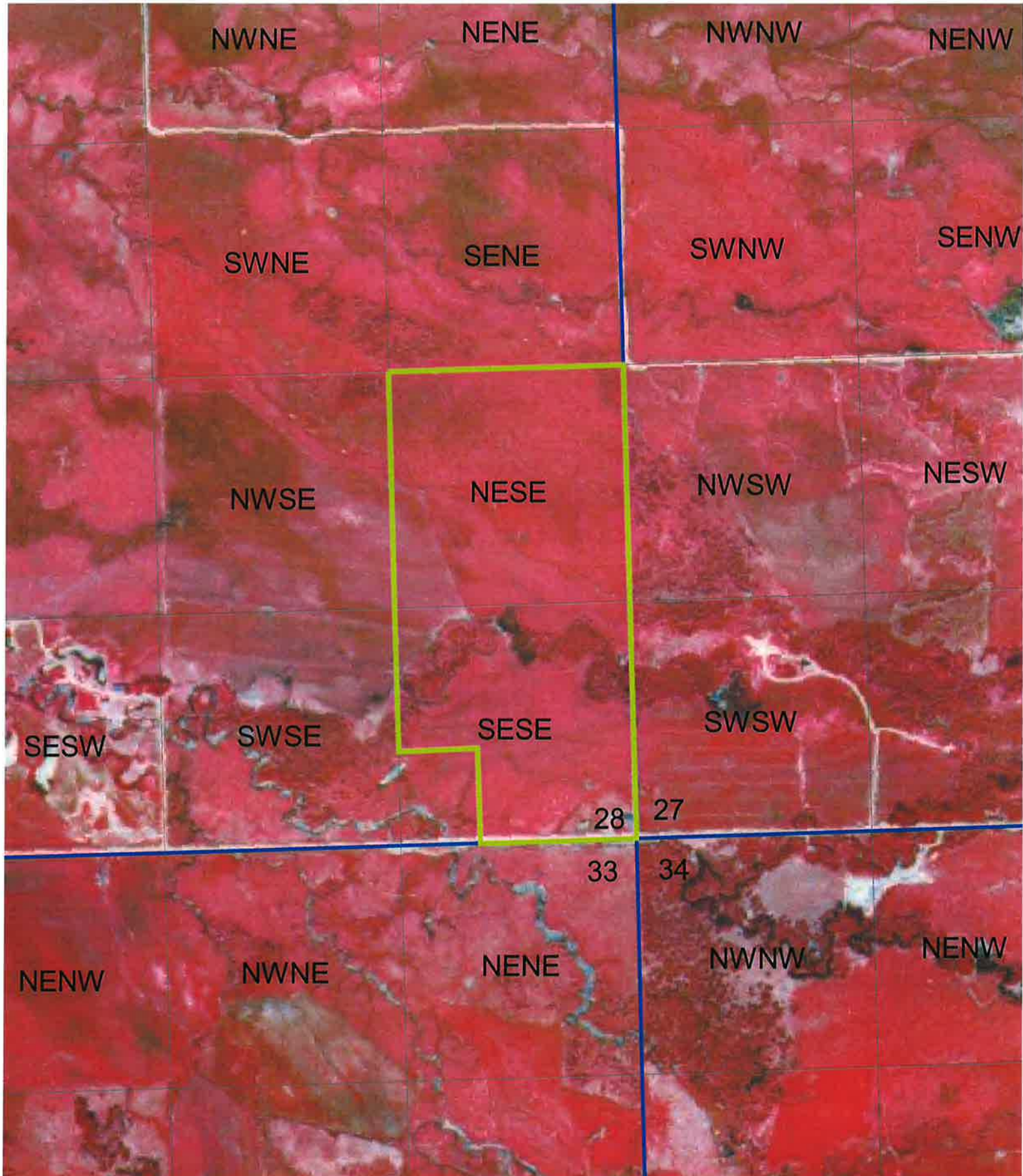
Primary highway,  
hard surface

Light-duty  
improved

|                                                                                                                                                                                                 |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Amour, E. B.; June 1, 1886; Spring Creek .....                                                                                                                                                  | 8,000 |
| Nave, Martin L.; June 1, 1886; Moody Creek .....                                                                                                                                                | 300   |
| To be reduced to 25 inches after June 20th of each year .....                                                                                                                                   | 50    |
| Nave, Martin L.; June 1, 1886; Teton River .....                                                                                                                                                | 25    |
| Breckenridge, David; June 1, 1887; North Leigh Creek; also Swamp Creek for a late right .....                                                                                                   | 25    |
| Borrowman, John; June 1, 1887; Wood Creek and Springs .....                                                                                                                                     | 260   |
| Jeppson, Hans J.; June 1, 1887; Bigler Slough .....                                                                                                                                             | 60    |
| Hegsted, Victor; Sept. 1, 1887; Horse Shoe Creek .....                                                                                                                                          | 80    |
| Hegsted, Victor; June 1, 1888; Horse Shoe Creek .....                                                                                                                                           | 30    |
| North Salem Agricultural & Milling Canal Co.; Teton River .....                                                                                                                                 | 290   |
| As a high water right until July 1st of each year .....                                                                                                                                         | 1,325 |
| Walters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Mons H. Anderson) .....                                                                        | 168   |
| W., William S.; June 1, 1888; Twin Creeks .....                                                                                                                                                 | 200   |
| W., mansee, Charles H.; Mar. 15, 1889; Moody Creek To be reduced to 80 inches after June 20th of each year .....                                                                                | 160   |
| Curtis, Owen; Apr. 1, 1889; Trail Creek .....                                                                                                                                                   | 80    |
| Little, Zina W.; Apr. 1, 1889; South Leigh Creek .....                                                                                                                                          | 160   |
| Hill, William; Apr. 5, 1889; Pack Saddle Creek .....                                                                                                                                            | 120   |
| Mortensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch) .....                                                                                                         | 280   |
| Bates, Thomas; May 3, 1889; Mahogany Creek .....                                                                                                                                                | 112   |
| Beezley, Ebenezer, and J.; June 1, 1889; Fox Creek .....                                                                                                                                        | 140   |
| Drake, Fred J.; June 1, 1889; John Creek .....                                                                                                                                                  | 80    |
| Blanchard, John; June 1, 1889; Warm Creek .....                                                                                                                                                 | 150   |
| Bowles, H. C.; June 1, 1889; Spring Creek .....                                                                                                                                                 | 40    |
| Drake, William; June 1, 1889; Mahogany Creek .....                                                                                                                                              | 140   |
| Lund, William P.; June 1, 1889; Mahogany Creek .....                                                                                                                                            | 10    |
| Hubbard, Frank, and wife; June 1, 1889; North Leigh Creek .....                                                                                                                                 | 160   |
| Swanner, Samuel; June 1, 1889; South Leigh Creek .....                                                                                                                                          | 150   |
| Walton, D. O.; June 1, 1889; Darby Creek .....                                                                                                                                                  | 40    |
| Jones, Benjamin; June 1, 1889; Trail Creek .....                                                                                                                                                | 20    |
| McPherson, Abner; June 10, 1889; North Leigh Creek .....                                                                                                                                        | 20    |
| Parsons, F. W.; June 15, 1889; Trail Creek .....                                                                                                                                                | 160   |
| ks, George M.; July 5, 1889; Trail Creek .....                                                                                                                                                  | 160   |
| ks, George M.; July 15, 1889; Fox Creek .....                                                                                                                                                   | 95    |
| Kirsley, Mary E.; Sept. 1, 1889; Warm Creek, Spring Creek and Deep Creek .....                                                                                                                  | 55    |
| Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River .....                                                                                                                                       | 80    |
| Rexburg Milling Co.; Oct. 1, 1889; Teton River. (Woodmansee-Johnson Ditch.) For power purposes only, and subject to rights of users for agricultural purposes of water through same ditch ..... | 620   |
| Teton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird head-gate near the Teton Mill .....                                                                | 3,000 |
| Kirsley, Mary E.; Apr. 1, 1890; Warm Creek; Spring Creek and Deep Creek .....                                                                                                                   | 500   |
| Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek .....                                                                                                   | 80    |
| Wolf Ditch Co.; Apr. 1, 1890; Teton River .....                                                                                                                                                 | 115   |
| Robertson, A. I.; Apr. 1, 1890; Trail Creek .....                                                                                                                                               | 2,335 |
|                                                                                                                                                                                                 | 87    |

|                                                                                                                                                  |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 82 Rice, Ed.; Apr. 1, 1890; Trail Creek .....                                                                                                    | 160   |
| 82 Curtis, Nahum; Apr. 1, 1890; Trail Creek .....                                                                                                | 160   |
| 82 Blanchard, John; Apr. 1, 1890; Trail Creek .....                                                                                              | 120   |
| 82 Eynon, John; Apr. 1, 1890; Trail Creek .....                                                                                                  | 80    |
| 85 Paul, John; June 1, 1890; Springs on land .....                                                                                               | 15    |
| 85 Paul, William H.; June 1, 1890; Little Springs and Deep Creek .....                                                                           | 60    |
| 85 Jenkins, William; June 1, 1890; Fox Creek .....                                                                                               | 80    |
| 85 Kimball, R. C., and A. L.; June 1, 1890; Fox Creek .....                                                                                      | 110   |
| 85 Lawson, B. G.; June 1, 1890; Spring Creek .....                                                                                               | 240   |
| 85 Murphy, G. M.; June 1, 1890; Darby Creek .....                                                                                                | 150   |
| 85 Smith, C. M.; Jan. 1, 1890; Darby Creek .....                                                                                                 | 160   |
| 85 Walton, D. O.; June 1, 1890; Darby Creek .....                                                                                                | 140   |
| 85 Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring Creek .....                                                                            | 135   |
| 85 Yearsley, H. C.; June 1, 1890; Spring Creek .....                                                                                             | 240   |
| 85 Drake, Richard; June 1, 1890; Patterson Creek .....                                                                                           | 160   |
| 85 Chelsey, John P.; June 1, 1890; Paul Spring Creek, Grove Creek, Deep Creep and Little Spring Creek .....                                      | 200   |
| 85 Byrne, Michael; June 1, 1890; Fox Creek .....                                                                                                 | 85    |
| 85 Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks .....                                                                                 | 100   |
| 85 Beezley, Ebenezer, and J.; June 1, 1890; Fox Creek .....                                                                                      | 80    |
| 85 Andrews, L. W.; June 1, 1890; Grove Creek .....                                                                                               | 120   |
| 85 Durney, P. S.; June 1, 1900; Trail Creek .....                                                                                                | 15    |
| 85 Foote, Arthur L.; June 1, 1890; Mahogany Creek .....                                                                                          | 145   |
| 85 Ferguson, John; June 1, 1890; Grove Creek and Willow Spring Creek .....                                                                       | 100   |
| 85 Eames, William; June 1, 1890; Spring Creek .....                                                                                              | 240   |
| 85 Edlefson, E. B.; June 1, 1890; Leigh Creek .....                                                                                              | 155   |
| 85 Drake, Lavina; June 1, 1890; Boquat Creek and Drake Creek .....                                                                               | 160   |
| 88 Drake, William; July 1, 1890; Mahogany Creek .....                                                                                            | 150   |
| 90 Tonks, William H.; July 15, 1890; Trail Creek .....                                                                                           | 135   |
| 92 Curtis, Clarissa A.; Sept. 1, 1890; Trail Creek .....                                                                                         | 160   |
| 96 Rice, A. L.; Jan. 1, 1891; Patterson Creek .....                                                                                              | 160   |
| 98 O'Brien, James A.; June 1, 1891; North Leigh Creek .....                                                                                      | 100   |
| 98 Siddoway-Briggs Co.; June 1, 1891; Teton River. (For power purposes) .....                                                                    | 2,600 |
| 98 Sinclair, D. R.; Adminr. Estate of Fred Sinclair (deceased); June 1, 1891; Eynon Ditch .....                                                  | 20    |
| 98 Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Crandall Springs .....                                                          | 100   |
| 98 Shaw, L. C.; June 1, 1891; Bagder Creek and water from springs on T. A. Phillips' land .....                                                  | 200   |
| 98 Swanner, Samuel; June 1, 1891; South Leigh Creek .....                                                                                        | 120   |
| 98 Hubbard, Susan; June 1, 1891; North Leigh Creek and Middle Leigh Creek .....                                                                  | 150   |
| 98 Harrop, Samuel; June 1, 1891; Leigh Creek .....                                                                                               | 200   |
| 98 Hill, Mary Ann; June 1, 1891; Pack Saddle Creek .....                                                                                         | 120   |
| 98 Clark & Houghton; June 1, 1891; Teton River .....                                                                                             | 160   |
| 98 Dewey, George A.; June 1, 1891; Fox Creek .....                                                                                               | 160   |
| 98 Barney, Walter; June 1, 1891; South Leigh Creek .....                                                                                         | 160   |
| 98 Bowles, Sarah; June 1, 1891; Spring Creek .....                                                                                               | 100   |
| 98 Blamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Philips; June 1, 1891; Badger Creek and springs on land of T. A. Philips ..... | 640   |
| 98 Edlefson, Noah C.; June 1, 1891; Leigh Creek .....                                                                                            | 40    |
| 100 Siddoway Irrigation & Manufacturing Co.; July 1, 1891; Teton River .....                                                                     | 300   |

# 22-13151





# 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

December 19, 2000

JAMES DOUGLAS  
427 W 325 N  
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR 22-360A, 22-361A

Dear Mr. Douglas:

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:

22-360A:

22-13151, 0.67 cfs, 72 acres, Douglas

22-13152, 0.43 cfs, 46 acres, Avallone/Parekh

22-361A:

22-13153, 0.49 cfs, 72 acres, Douglas

22-13154, 0.31 cfs, 46 acres, Avallone/Parekh

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

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 22-13151  
Date Received: 12/19/00  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES DOUGLAS Phone:

427 W 325 N  
TETONIA ID USA 83452

2. Date of Priority: 06/01/1890

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County |
|----------|-------|---------|-----------------------|--------|
| 04N      | 45E   | 34      | NW NW                 | TETON  |

5. Description of diverting works:

DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/01 | 12/01 | 0.67   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

22 - 13151

12 / 19 / 2000

A2213151



10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 04N      | 45E   | 28      | NE         | SE  | IRRIGATION    | 40    |
|          |       |         | SE         | SE  | IRRIGATION    | 32    |
|          |       |         |            |     | Section Acres | 72    |
|          |       |         |            |     | Total Acres   | 72    |

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:

15. Basis of Claim: Decreed

22-13151/22-13153

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NESE

SESE

