

11/30/2006

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

RIGHT NUMBER: 22-13204
NAME AND ADDRESS: JAMES ERNEST SIEDELMANN
3706 W 4900 S
IDAHO FALLS ID 83402

CHERYL SIEDELMANN
3806 W 4900 S
IDAHO FALLS ID 83402

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.580 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:
T06N R45E S8 NWSENE 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	0.580 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R44E S01 Lot 1 NENE	19.00	T06N R44E S01	SENE	10.00
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29 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 29 acres in a single irrigation season. Combined Right Nos.: 22-13204 and 22-13206.

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.

This right is subject to regulation by the watermaster of Water District No 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Ricks Canal.

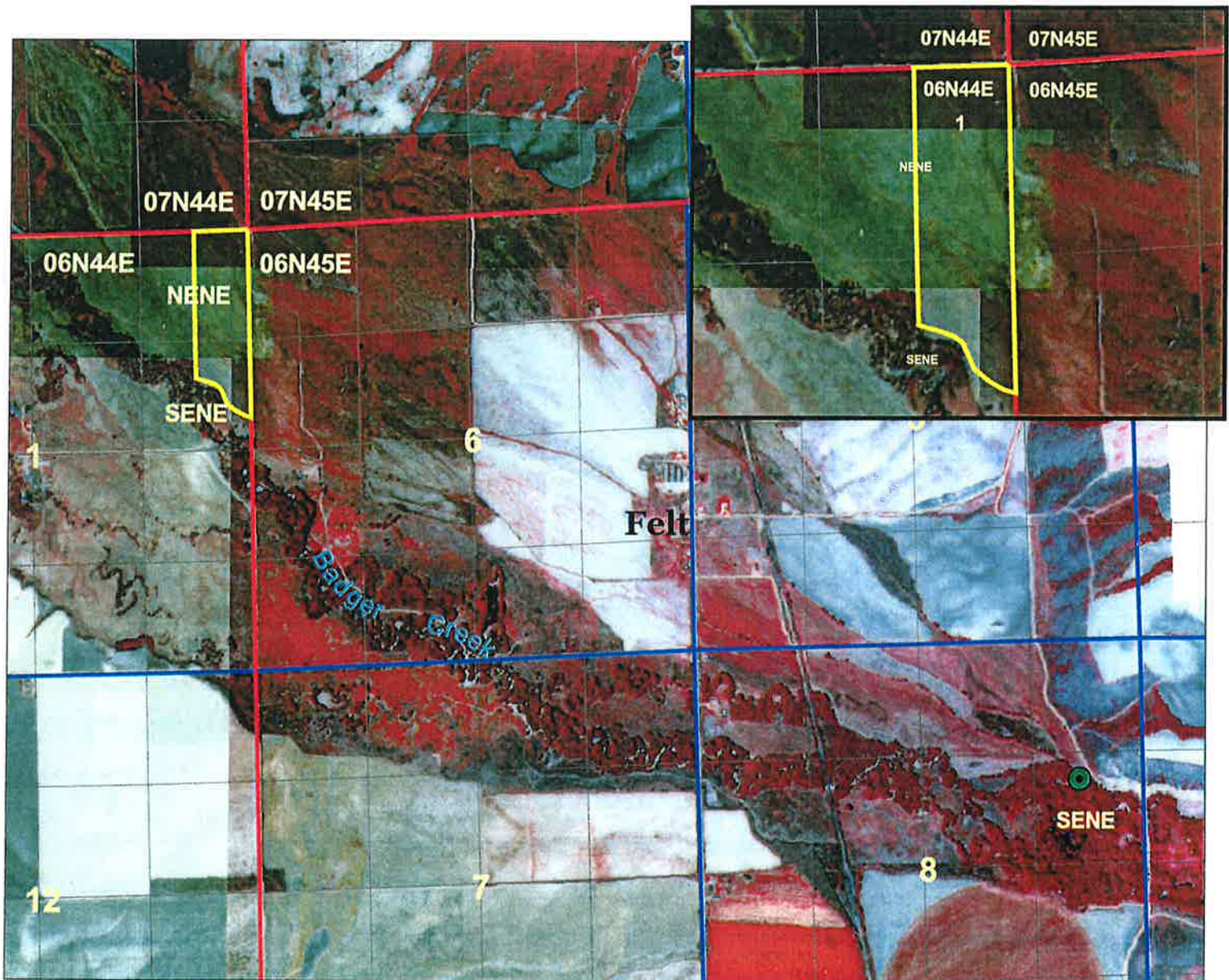
This right is a spit from former right 22-13192, which is a spit of 22-52D.

Department of Water Resources

Eastern Region

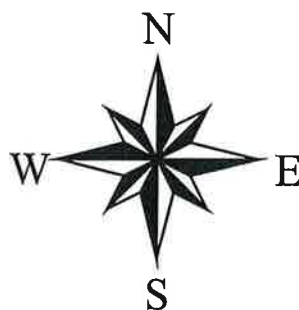


Claim No.: 22-13204 and 22-13206



0 1000 2000 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: February 2006



Heading for Badger Cr Canal

T6N R4S6 Sec. 8 NESENE

GPS TAG # A0013824

8/10/04
ASR

Claim no. _____

Claimant Contact Log

Gillette vs. Crandall decree.

Date	Remarks	Agent initials
2-9-06	Split history shows how 22-52 has been claimed. It was decreed to lands in the NE $\frac{1}{4}$ of Sec. 1, but does not specifically say 160 ac. or the full quarter. Water right report shows 120 ac. as the POU. Because it is unclear how many acres were decreed, allowing the 160 ac. mentioned as the full POU decreed. Therefore, 0.02 cfs/ac. maximum allowed for each split. Recommending 0.18 cfs for 22-13197. Combined use with 22-13199, a split off decreed right 22-286.	

Water Right and SRBA Split History Analysis

22-52

22-52
POD: Badger Creek TOWN R4SE Sec 8 NWSENE
POU: TOWN R4SE NENE, SWNE, SENE
3.2 cfs

Split as claimed
recommend only 1 1/2 ac

22-52 A
POD: Badger Creek TOWN R4SE Sec 8 NWSENE
TOWN R4SE Sec 7 NENENW
POU: TOWN R4SE Sec 1 NENE, NENE
0.80 cfs 40 acrs

22-52 B
POD: Badger Creek TOWN R4SE Sec 8
NWSENE
TOWN R4SE Sec 7
NENENW
POU: TOWN R4SE Sec 1 SENE
0.40 cfs 20 acrs

22-52 C
POD: Badger Creek TOWN R4SE
NWSENE
TOWN R4SE Sec 7
NENENW
0.4 cfs 20 acrs

22-52 D
POD: Badger Creek TOWN
POU: TOWN R4SE Sec 1, NENE, NWNE,
SWNE, SENE
2.4 cfs 82 acrs

22-13192
POD: Badger Creek TOWN R4SE Sec 8
NWSENE
TOWN R4SE Sec 7
NENENW
POU: TOWN R4SE Sec 1 NENE, NWNE, SENE
0.94 cfs 32 acrs

22-13193
POD: Badger Creek TOWN R4SE Sec 3b
TOWN R4SE Sec 1
POU: TOWN R4SE Sec 1 NWNE, SWNE
1.46 cfs 50 acrs

Page 2

Date:

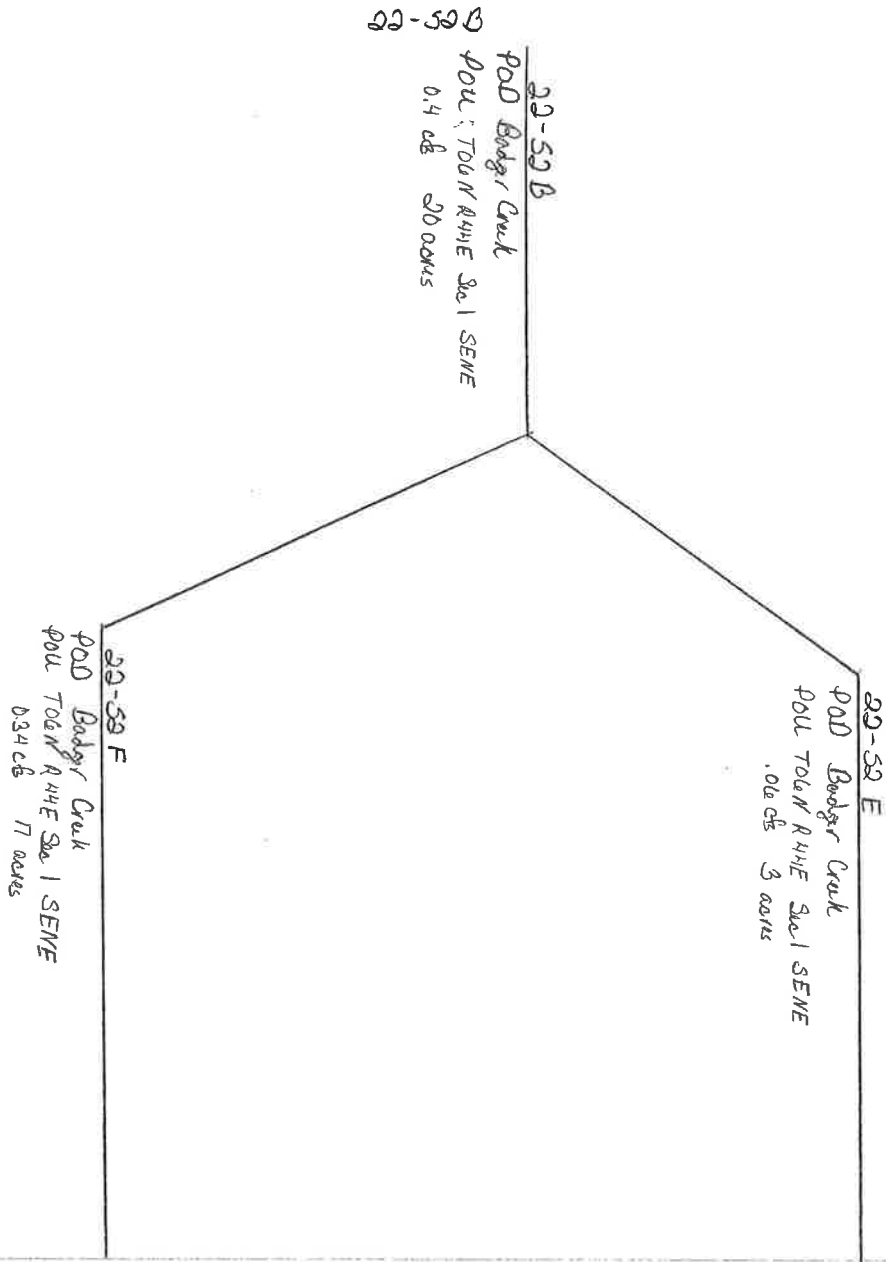
Page 3

Reviewer: mydoc/feldexamforms/splithistory

Page 4

Page One

Water Right and SRBA Split History Analysis

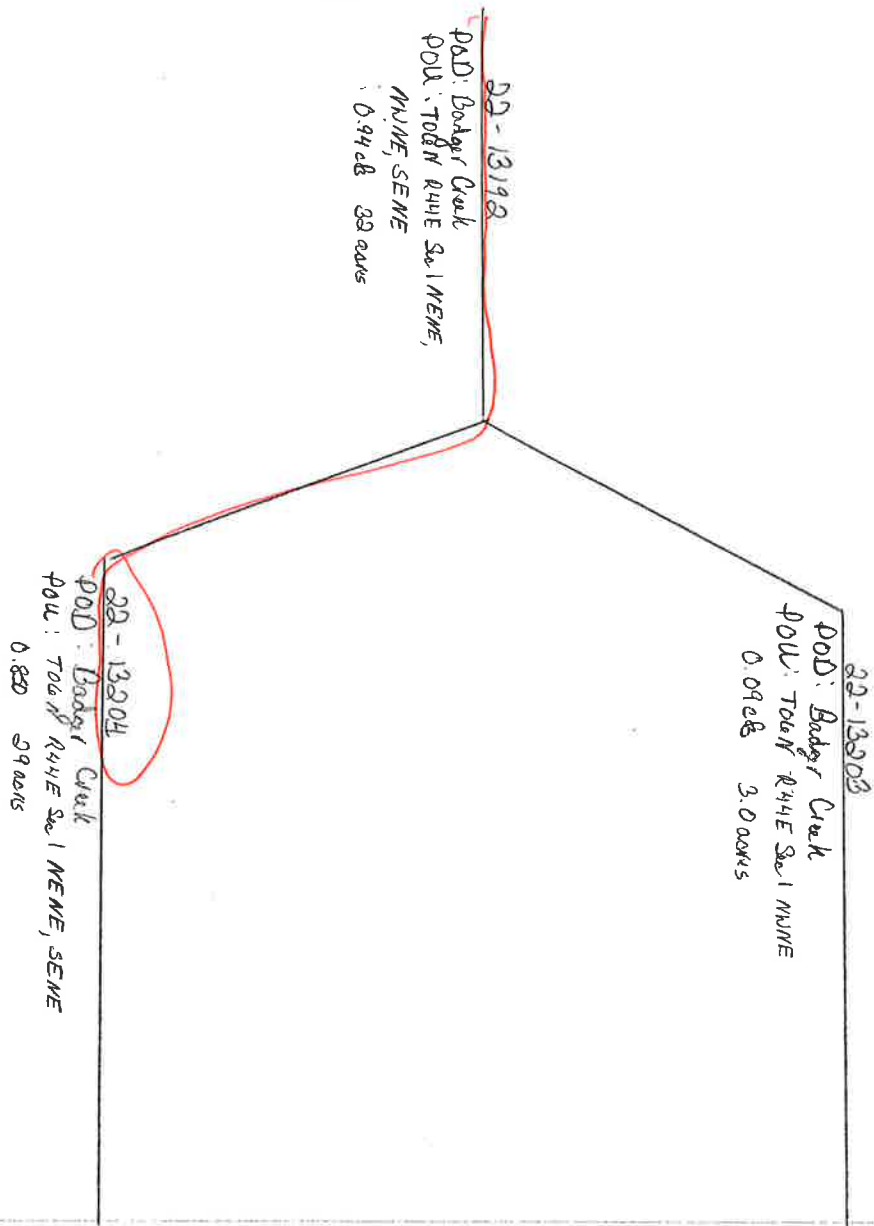


Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

Water Right and SRBA Split History Analysis

02-582

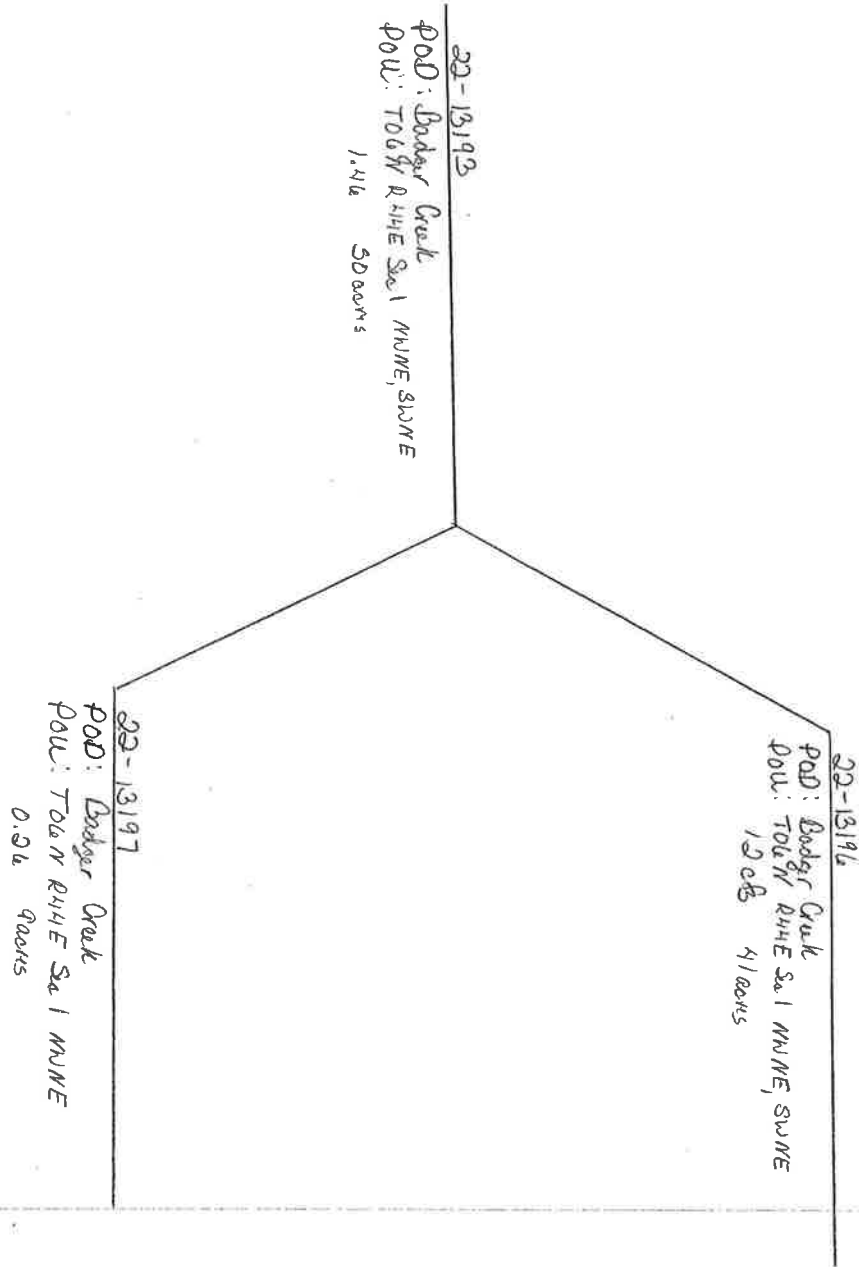


Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

Water Right and SRBA Split History Analysis

22-13193



Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

right to the use of 3.2 cubic feet per second or 160 miners inches of the waters of Smith Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XLIII of the Findings of Fact.

22 0050⁴¹. That the plaintiff, Engerline N. Priestly, is awarded the right to the use of 3.6 cubic feet per second or 180 miners inches of the waters of Badger Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XLIV of the Findings of Fact.

22 0051⁴². That the plaintiff, Joseph Williams, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches of the waters of Badger Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XLV of the Findings of Fact.

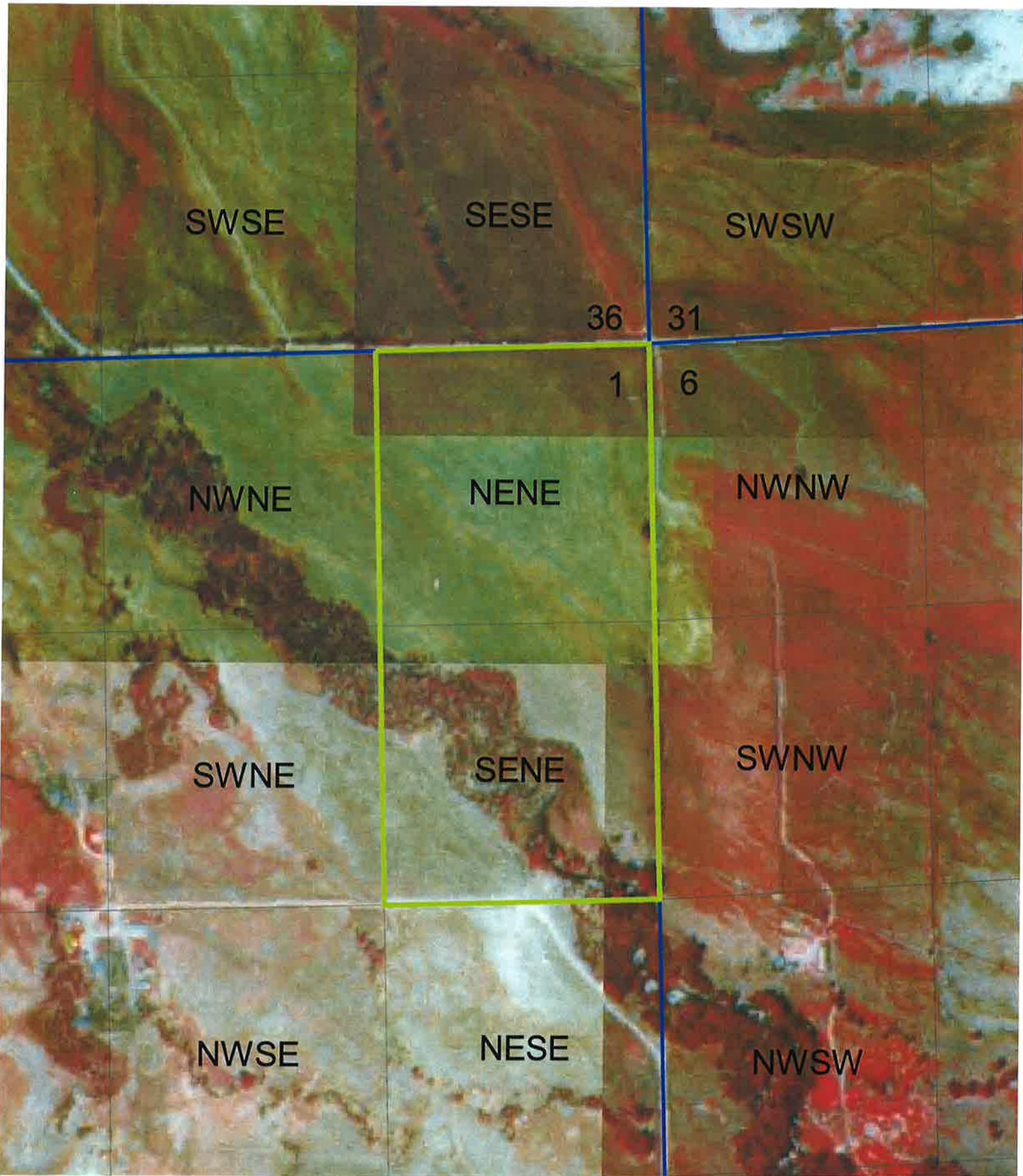
22 0052⁴³. That the plaintiff, Union Central Life Insurance Company, a corporation, is awarded the right to the use of 3.2 cubic feet per second or 160 miners inches of the waters of Badger Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XLVI of the Findings of Fact.

22 0053⁴⁴. That the plaintiff, George Ward, is awarded the right to the use of 2.4 cubic feet per second or 120 miners inches of the waters of Badger Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XLVII of the Findings of Fact.

22 0054⁴⁵. That the plaintiff, Frank Stewart, is awarded the right to the use of .8 cubic feet per second or 40 miners inches of the waters of Badger Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XLVIII of the Findings of Fact.

22 0055⁴⁶. That the plaintiff, Norman Hansen, is awarded the right

22-13204





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

November 15, 2001

JAMES & CHERYL SIEDELMANN
3806 W 4900 S
IDAHO FALLS ID 83402

RE: CHANGE IN OWNERSHIP FOR A22-13192 AND A22-13194

Dear Mr. & Mrs. Siedelmann:

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:

22-13192 split into:

22-13203: 0.09 CFS, 6 AFA, 3 ACRES, WARD

22-13204: 0.85 CFS, 58 AFA, 29 ACRES, SIEDELMANN

22-13194 split into:

22-13205: 0.09CFS, 6 AFA, 3 ACRES, WARD

22-13206: 0.85 CFS, 58 AFA, 3 ACRES, SIEDELMANN

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,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

OK JC
11-13-01

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

RECEIVED

NOV 05 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
Incomplete forms will be returned. 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. List just the adjudication claim number if there is no corresponding water right record on file with the department. 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).	<u>Split</u>	Water Right No(s).	Adjudication Claim No(s).	Split
22-29-13192		yes			
22-29-13194		yes			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) Clara Ward
1028 N. State Hwy 32, Felt, ID
4. New Owner/Claimant(s) James and Cheryl Siedelmann
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 3706 W 4900 S.
- City, State and ZIP Code Idaho Falls, ID 83402
- New Telephone Number (208) 589-2403
5. Date you acquired the property 12-15-1989

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) _____
(include title if applicable)

Cheryl L. Hidelman
J. Hidelman

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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

130241

THIS INDENTURE, made this 1th day of May, 19 98,
between CHERYL LEE MOSBY

of IDAHO FALLS, County of BONNEVILLE, State of IDAHO,
the party of the first part and JAMES ERNEST SIEDELMANN AND CHERYL LEE
SIEDELMANN of IDAHO FALLS
County of BONNEVILLE, State of IDAHO, the party of the second part,
WITNESSETH, that the party of the first part, for and in consideration of the sum of ONE

Dollars
lawful money of the United States of America,
to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by
these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to party of the second
part's heirs and assigns, forever, all the following described real estate, situated in NEAR FELT
County of TETON, State of Idaho, to-wit:

PARCEL # RPO6N44E010012A
EZ LOT 1, E 2SE 4NE4
SEC 1 T6N R44E

RECEIVED

MAY 08 1998
TETON CO., ID
CLERK RECORDER

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise
appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of
the second part, and to party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and
year first above written.

Cheryl Mosby Siedelmann

STATE OF IDAHO,
County of Bonneville } SS.
On this Seventh day of May, in the year 19 98, before me
Jill Page, a Notary Public in and for said State, personally appeared
Cheryl Siedelmann

known to me to be the person whose name subscribed to the within
instrument, and acknowledged to me that she executed the same.

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



130241

FILED

AT THE REQUEST OF

Cheryl L. Mosby

40 MINUTES PAST 3 PM

DATE May 8, 1998

W. J. Drake

Nora R. R. R.

Jill Page

Notary Public for the State of Idaho

Residing at Rigby, Idaho.

130241

JAN 23 1992

TETON Co. W.
Clerk Records

QUITCLAIM DEED

GRANTOR, WILLIAM R. MOSBY of Idaho Falls, County of Bonneville, State of Idaho, for a good and val able consideration the receipt whereof is hereby acknowledged does REMISE, RELEASE and forever QUITCLAIM unto CHERYL MOSBY, whose current address is 779 - 11th Street, Idaho Falls, Idaho 83401, as GRANTEE, and to Grantee's heirs and assigns, forever, all the following described real estate, situated in the County of Teton, State of Idaho, to-wit:

Township 6 North, Range 44 East Boise Meridian, Teton County, Idaho:

Section 1: E₂ of Lot 1 and EASEMENT

TOGETHER with all mineral and water rights appurtenant thereto.

SUBJECT to all easements, rights of way, covenants and restrictions of record.

SUBJECT ALSO to Oil and Gas Lease to American Quasar Petroleum Company, recorded February 1, 1982, Recorder's No. 89523, records of Teton County, Idaho.

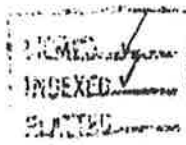
In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the said Grantor has hereunto subscribed his name to this instrument this 9th day of January, 1992.

FILED

109475

Heinzel, Neel & Conbo
150
11 a
Jan. 23, 1992
Ash J. Krake
Nora Risher



William R. Mosby
William R. Mosby

1.

STATE OF IDAHO)
 : ss.
County of Bonneville)

On this 24 day of January, 1992, before me the undersigned, a Notary Public for Idaho, personally appeared WILLIAM R. MOSBY, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



William R. Mosby
Notary Public for Idaho
Residing at: LEXINGTON, ID
Commission Expires: 10/15/91

WARRANTY DEED

Warranty deed made this 15 day of December, 1989, between CLARA WARD, a widow, of 1028 North State Highway 32, Felt, Idaho, referred to as Grantor, and WILLIAM R. MOSBY and CHERYL MOSBY, husband and wife, of 779 11th Street, Idaho Falls, Idaho 83404, referred to as Grantees.

Grantor in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does hereby grant, bargain, sell, convey, and confirm unto Grantees and their heirs and assigns forever, all the following described real estate situated in Teton County, Idaho:

Township 6 North, Range 44 East, Boise Meridian, Teton County, Idaho:

Section 1: E1/2 of Lot 1 and E1/2SE1/4NE1/4.

TOGETHER with all mineral and water rights appurtenant thereto.

SUBJECT to all easements, rights-of-way, covenants and restrictions of record.

SUBJECT ALSO to Oil and Gas Lease to American Quasar Petroleum Company, recorded February 1, 1982, Recorder's No. 89523, records of Teton County, Idaho.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantees and their heirs and assigns forever.

And Grantor and her heirs, successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantees, their heirs, and



assigns against Grantor and his heirs and assigns and against all and every person and persons whomsoever, lawfully claiming the same.

Grantor has hereunto set his hand on the day and year first above written.

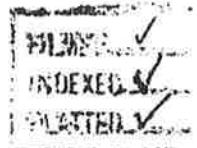
CLARA WARD
CLARA WARD

STATE OF IDAHO)
County of Teton : ss.)

On this 22 day of December, 1989, before the undersigned notary public, personally appeared CLARA WARD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the date above written.

[Signature]
Notary Public for Idaho
Residing at:
Commission expires:



105281

FILED

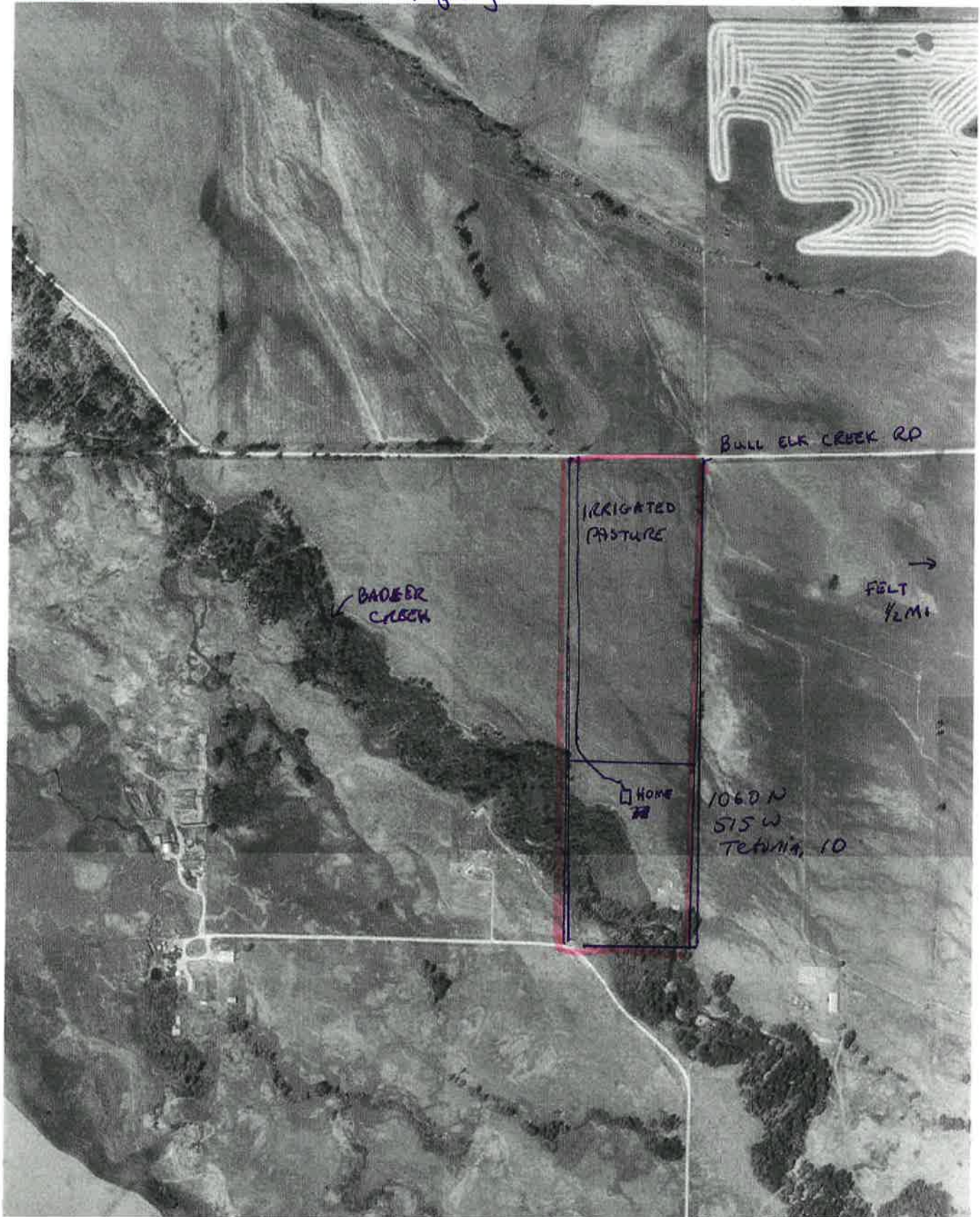
AT THE REQUEST OF

First American
AT 05 MINUTES PAST 3 p.m.
DATE Dec. 22, 1989
E. Wayne Schuess
BY Rona Hill

1 km NW of Felt, Idaho, United States 26 Aug 1992



Siedelman Property



Township 6 North
Range 44 East
Section 1

Ward
1 acre

Ward
2 acres

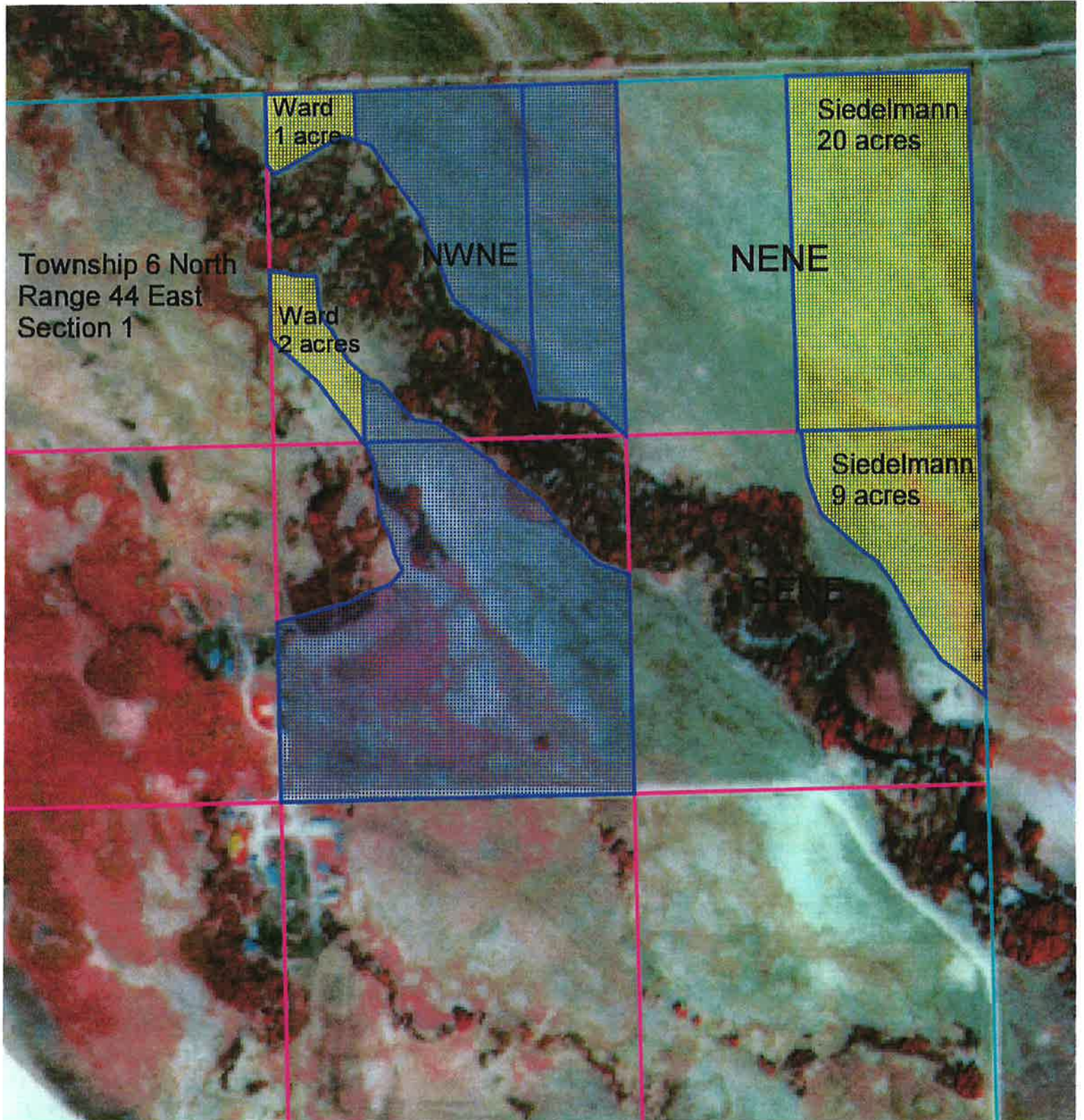
NWNE

Siedelmann
20 acres

NENE

Siedelmann
9 acres

SENE



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 22-13204
Date Received: 11/15/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

JAMES ERNEST SIEDELMANN Phone: (208) 589-2403

3706 W 4900 S
IDAHO FALLS ID USA 83402

CHERYL SIEDELMANN Phone: (208) 589-2403

3806 W 4900 S
IDAHO FALLS ID USA 83402

2. Date of Priority: 01/22/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
07N	44E	36	SE	SE	SW	TETON	
06N	44E	1	NE	NE	NW	TETON	

5. Description of diverting works:

2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.85	58

7. Total Quantity Appropriated is:
0.85 C.F.S. and/or 58 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	1	SE	NE		IRRIGATION	9
			NE	NE		IRRIGATION	20
						Section Acres	29
						Total Acres	29

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 RIGHT IS A SPLIT FROM FORMER RIGHT 22-13192.

15. Basis of Claim: Decreed