

11/30/2006

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

RIGHT NUMBER: 22-13206

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: 06/01/1898

POINT OF DIVERSION:

T06N R45E S8 NWSENE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

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

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

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 22-13194, which is a split from 22-286A.

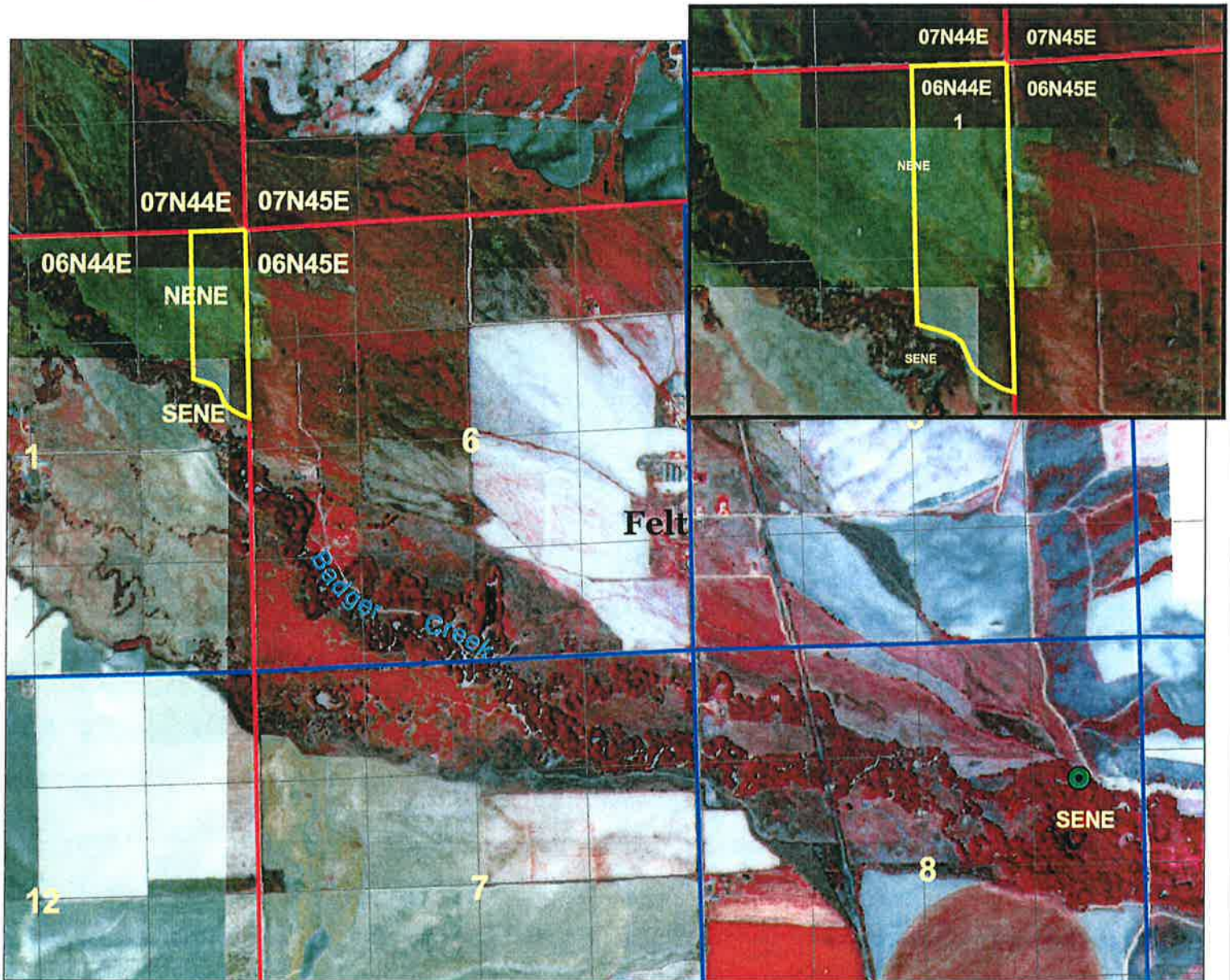
Water is delivered through Ricks Canal.

Department of Water Resources

Eastern Region

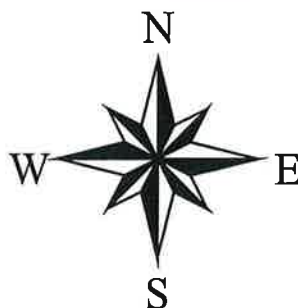


Claim No.: 22-13204 and 22-13206



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

12/01/2006

**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: 22-13206

JAMES ERNEST SIEDELMANN

3706 W 4900 S

IDAHO FALLS ID 83402

Telephone Number: (208)589-2403

CHERYL SIEDELMANN

3706 W 4900 S

IDAHO FALLS ID 83402

Telephone Number: (208)589-2403

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: _____ SIGNATURE: _____

Please print your name: _____

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



Heading for Badger Cr Canal
T6N R45E Sec. 3 NESENE
GPS TAG # A0013824

8/10/04
ASR

Claim no. _____

Claimant Contact Log

Date

Remarks

Agent initials

2-9-06

Original right 22-286 was decreed to Robert Hamilton on Lots 1, 2, 3 and $5\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 1 w/ 3.2 ds. Because Kerburg decree was increased an in inch to the acre, assuming this right was appurtenant to 160 ac. Making recommendation based on T"/ac. for all claims.

Water Right and SRBA Split History Analysis

22-286

22-286
 POD Badger Creek
 POU 06N 44E
 Sect NENE, NWNE,
 SWNE, SENE,
 NENE
 32 cfs 160 acres

As claimed
 recommend only 1"/ac

22-286A
 POD Badger Creek
 POU 06N 44E
 Sect NENE, NWNE,
 SWNE, SENE
 2.4 cfs
 82 acres

22-286B
 POD Badger Creek
 POU 06N 44E
 Sect NENE, SENE
 .8 cfs 40 acres

22-13194 see page 2 for split
 POD Badger Creek
 POU 06N 44E
 Sect NENE,
 NWNE
 SENE
 .94 cfs 32 acres

22-13195 see page 3 for split
 POD Badger Creek
 POU 06N 44E
 Sect NWNE, NESW
 1.46 cfs 50 acres

22-286C see page 4 for split
 POD Badger Creek
 POU 06N 44E
 Sect NESE
 .4 cfs 20 acres

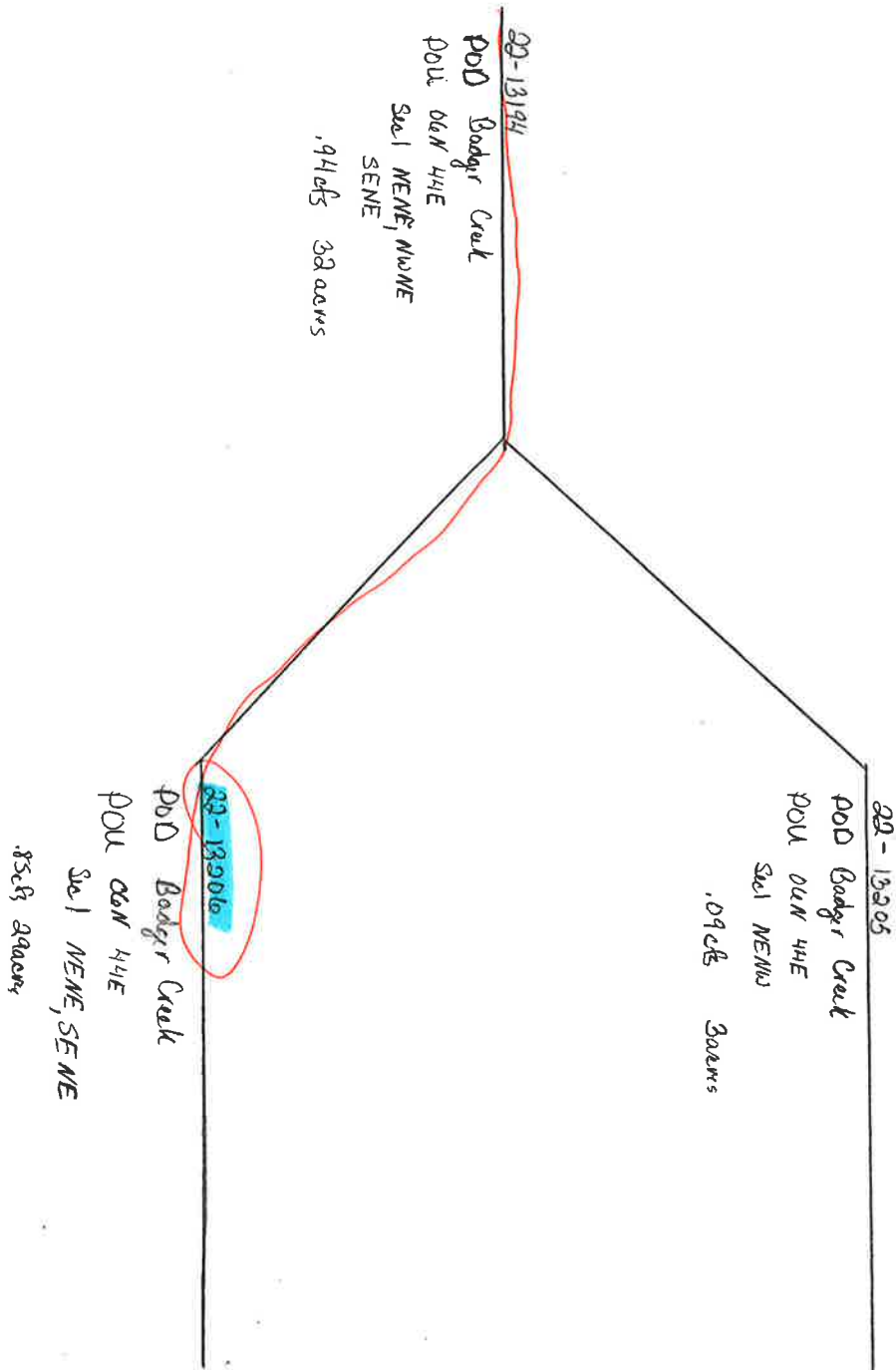
22-286D
 POD Badger Creek
 POU 06N 44E
 Sect NENE
 .4 cfs 20 acres

Date:

Reviewer:
 mydoc/fieldexamforms/splithistory

Water Right and SRBA Split History Analysis

Split for 82-13194

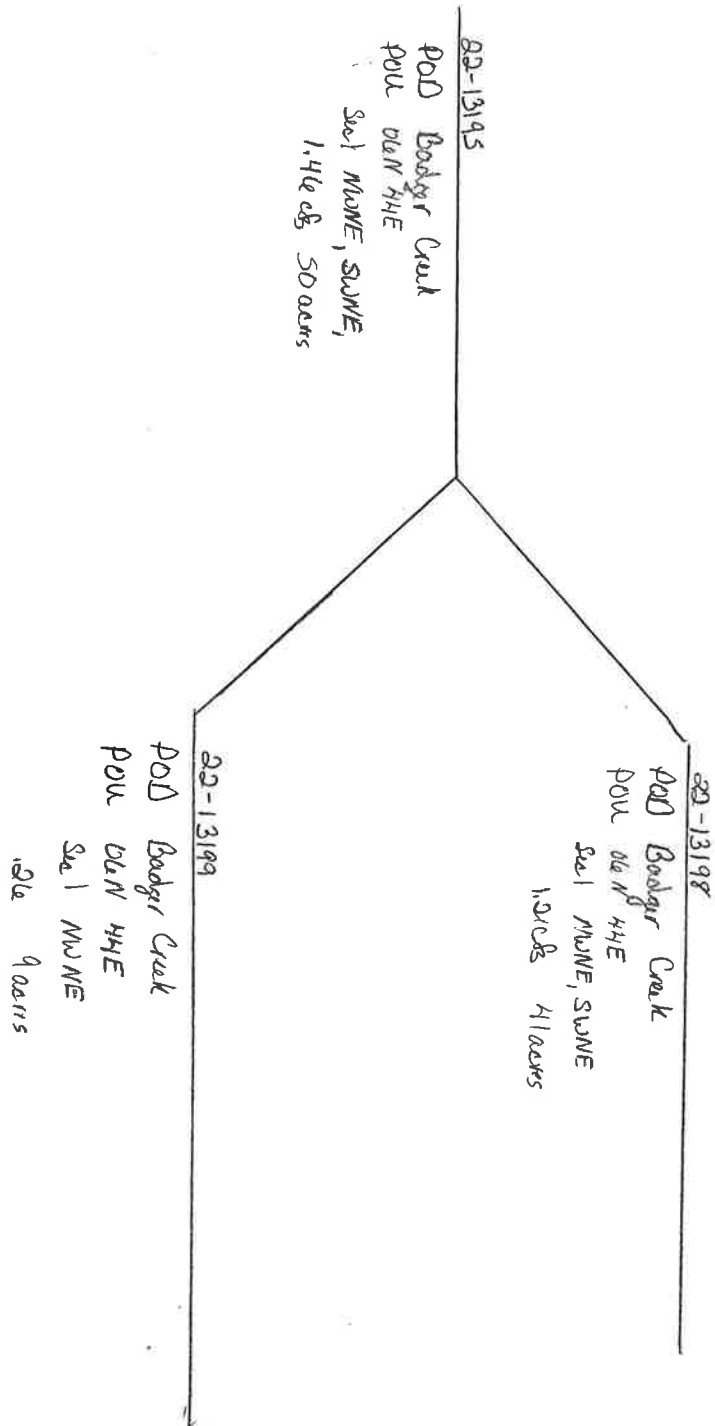


Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

Water Right and SRBA Split History Analysis

22-13195

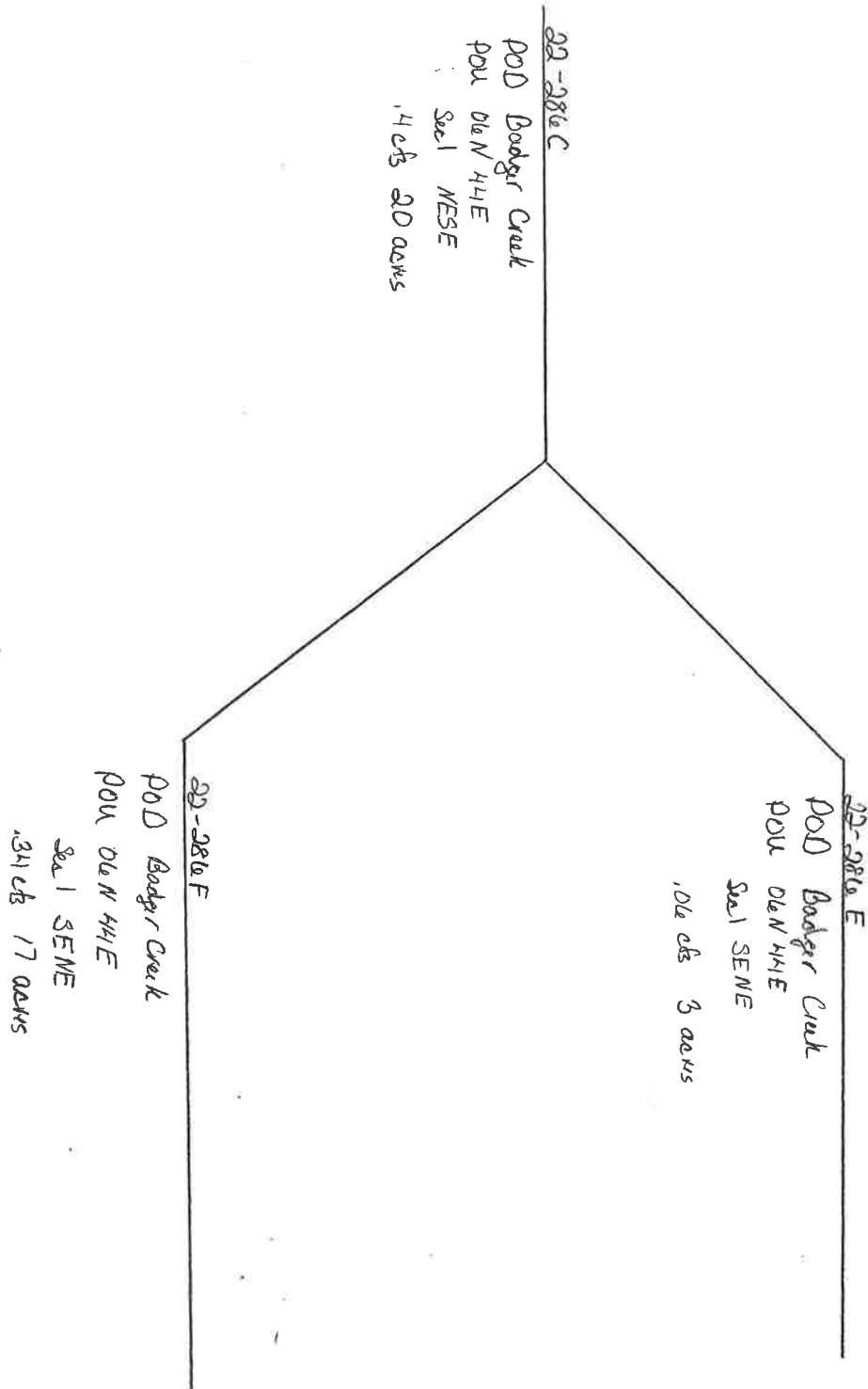


Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

Water Right and SRBA Split History Analysis

Split 22-286 C



Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

147	Hatch, Mary E.; July 15, 1896; Trail Creek	40
148	Cherry, Thomas; July 30, 1896; Trail Creek	80
149	Sinclair, Jesse; Aug. 13, 1896; Trail Creek	160
151	Lindsay, William; Apr. 1, 1897; South Leigh Creek....	160
153	Williams, Charles; May 15, 1897; South Leigh Creek....	60
154	Parker, B. F.; June 1, 1897; Fox Creek	120
154	Pendleton, Abraham; June 1, 1897; North Leigh Creek	80
154	Penfold, Algeroy; June 1, 1897; Fox Creek	100
154	Penfold, Farley; June 1, 1897; Fox Creek	100
154	Larsen, A. C.; June 1, 1897; Darby Creek	20
154	Thompson & Egbert; June 1, 1897; North Leigh Creek	70
154	Smith, D. G. S.; June 1, 1897; South Leigh Creek....	120
154	Vail, W. C.; June 1, 1897; Fox Creek	120
154	Vail, W. C.; June 1, 1897; Fox Creek	100
154	Waterman, L. C.; June 1, 1897; South Leigh Creek....	120
154	Hopkins, D. H.; June 1, 1897; South Leigh Creek....	60
154	Wyoming & Darby Bench Canal Co., Ltd.; June 1, 1897; Darby Creek	1,380
154	Zimmerman, Zuel; June 1, 1897; South Leigh Creek....	30
154	Little, George A.; June 1, 1897; North Leigh Creek....	120
154	Little, George E.; June 1, 1897; South Leigh Creek....	80
154	Moffat, Andrew; June 1, 1897; South Leigh Creek and Swamps	140
154	Perry, Jeremiah C.; June 1, 1897; North Leigh	80
154	Roueché, Jacob; June 1, 1897; North Leigh Creek....	90
154	Henrie, John; June 1, 1897; North Leigh Creek....	150
154	Henrie, Joseph O.; June 1, 1897; South Leigh Creek....	120
154	Hill, Albert; June 1, 1897; Darby Creek	75
154	Gale, Joseph; June 1, 1897; South Leigh and Swamps	40
154	Cluff, Charles; June 1, 1897; Fox Creek	10
154	Davidson, J. H.; June 1, 1897; South Leigh Creek....	80
154	Crandall, H. L.; June 1, 1897; Darby Creek	20
154	Cannon, Harry L.; June 1, 1897; Darby Creek....	100
154	Bush, Geo. W.; June 1, 1897; Darby Creek	20
154	Bowles, William; June 1, 1897; Trail Creek	160
154	Edwards, Andrew; June 1, 1897; Trail Creek	50
154	Allen, Isaac T.; June 1, 1897; Cherry Creek; all of the water of Cherry Creek Springs	50
154	Guyman, Edward; June 10, 1897; South Leigh Creek..	120
154	Porter, John; June 15, 1897; Trail Creek	75
156	Moffat, Mary; June 15, 1897; Leigh Creek	80
156	McCracken, John; June 15, 1897; South Leigh Creek....	160
156	McCracken, James; June 15, 1897; South Leigh Creek....	156
156	Van Leuven, William; June 15, 1897; South Leigh Creek	160
157	Henrie, James D.; June 20, 1897; Leigh Creek	130
159	Homer, Willard G.; June 24, 1897; South Leigh Creek.	160
162	Jones, Joshua; Oct. 28, 1897; Trail Creek	100
163	Clark & Houghton; Apr. 1, 1898; Teton River	200
163	Good Luck Canal Co.; Apr. 1, 1898; Teton River	1,300
163	Hill Ditch Co.; Apr. 1, 1898; Teton River	600
163	Rowe, Reuben H., and Morris McCormick; Apr. 1, 1898; Teton River. (Trough McCormick & Rowe Ditch)	430
163	Ricks, Wallace; Apr. 1, 1898; North Leigh Creek	40
163	Rexburg Irrigation Co.; Apr. 1, 1898; Teton River	8,500
163	Pioneer Ditch Co.; Apr. 1, 1898; Teton River	900
163	Pincock Byington Ditch Co.; Apr. 1, 1898; Teton River	700
163	Windmill, Richard, and Richard Withers and Oscar B. Young; Apr. 1, 1898; Teton River. (Eckersell Canal)	434
163	Wilford Irrigation & Manufacturing Co.; Apr. 1, 1898;	

	Teton River	6,608
163	Stewart, Samuel (deceased), Estate of, by Mary H. Birch, Adminx., and Mary H. Birch; Apr. 1, 1898; Teton River	500
163	Walters, William; Apr. 1, 1898; Teton River. (Stewart & Walters Ditch.) (Joint appropriation with Mons H. Anderson)	332
163	Siddoway Irrigation and Manufacturing Co.; Apr. 1, 1898; Teton River	766
163	Teton Island Canal Co.; Apr. 1, 1898; Teton River....	7,982
163	Bird, Martin L., F. W. Garner and George A. Pincock; Apr. 1, 1898; Pincock-Garner Ditch	800
163	Eames, John S.; Apr. 1, 1898; Teton River	50
163	Nelson, David; Apr. 1, 1898; Teton River. (Through Nelson-Jacobs Ditch.)	434
163	Mortensen, Christian; Apr. 1, 1898; Teton River. (Through the Nelson-Jacobs Ditch.)	218
163	Woodmansee-Johnson Ditch; Apr. 1, 1898; Teton River	1,380
163	City of Rexburg; Apr. 1, 1898; Teton River. (For power and municipal purposes.)	1,650
163	Huskinson, William J.; Apr. 1, 1898; Teton River....	50
164	Nelson, Fritz E.; Apr. 15, 1898; Spring Creek	120
165	Lamoreaux, Francis A., and Ann.; May 1, 1898; South Leigh Creek	25
166	Hendrickson, Frank; May 1, 1898; Badger Creek....	160
167	Clark, H. J.; May 15, 1898; Teton River	160
168	Wait, F. A.; May 25, 1898; Leigh Creek	160
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Edwards, Andrew; June 1, 1898; Trail Creek	40
169	Felt, Clara V.; June 1, 1898; Badger Creek	50
169	Bruce, Daniel C.; June 1, 1898; Teton Creek....	160
169	Black, Joseph A.; June 1, 1898; South Leigh Creek ...	150
169	Allen, Amos; June 1, 1898; Fox Creek	50
169	Cherry, Thomas; June 1, 1898; Trail Creek	80
169	Crandall, H. L.; June 1, 1898; Darby Creek	60
169	Crandall, Ira.; June 1, 1898; Darby Creek	20
169	Davidson, J. H.; June 1, 1898; South Leigh Creek ...	80
169	Cluff, Charles; June 1, 1898; Fox Creek	150
169	Hamilton, Robert; June 1, 1898; Badger Creek	160
169	Guyman, Edward; June 1, 1898; South Leigh Creek....	40
169	Fullmer, H. D.; June 1, 1898; North Leigh Creek....	160
169	Fullmer, Almond L.; June 1, 1898; North Leigh Creek..	120
169	Hendrickson, Alvira E.; June 1, 1898; South Leigh Creek	60
169	Hendrickson, Alfred; June 1, 1898; Badger Creek....	40
169	Hearst, H. T.; June 1, 1898; Leigh Creek	160
169	Hanson, Alfred; June 1, 1898; North Leigh Creek....	40
169	Poulson, J. C.; June 1, 1898; North Leigh Creek....	130
169	Rammell, George; June 1, 1898; Badger Creek	20
169	Merrill, Sam J.; June 1, 1898; Leigh Creek	160
169	Ramell, C. H.; June 1, 1898; Badger Creek	30
169	Little, George E.; June 1, 1898; North Leigh Creek....	80
169	Hopkins, Ezekiel; June 1, 1898; North Leigh Creek....	80
169	Zimmerman, Zuel; June 1, 1898; South Leigh Creek....	130
169	Hopkins, D. H.; June 1, 1898; South Leigh Creek	60
169	Hoozier, John L.; June 1, 1898; Spring Creek	120
169	Homer, Benjamin P.; June 1, 1898; Mahogany Creek...	15
169	Holden, E. H.; June 1, 1898; Darby Creek....	160
169	Hochstrasser, R. H.; June 1, 1898; Spring Creek....	40
169	Hochstrasser, N. W.; June 1, 1898; Spring Creek	50

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
①	107N	44E	36		SE SE SW	Teton	Badger CK	Teton River
②	110N	44E	1		NE NE NW	"	"	"

Recommended Point(s) of Diversion and Source.

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
③	110N	44E	8		NW SE NE	Teton	Badger CK	Teton River
④	110N	45E	7		NW NW NE	"	"	"

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

① & ② POD Cannot Deliver TO This Property Down Hill From Pou.

③ POD is The Si-Ricks off of North Side Badger and Historically Serviced This ground.

④ POD is The Ward Canal and is the only way That could Service South Side of Badger CK.

③ GPS Tag # A0013824

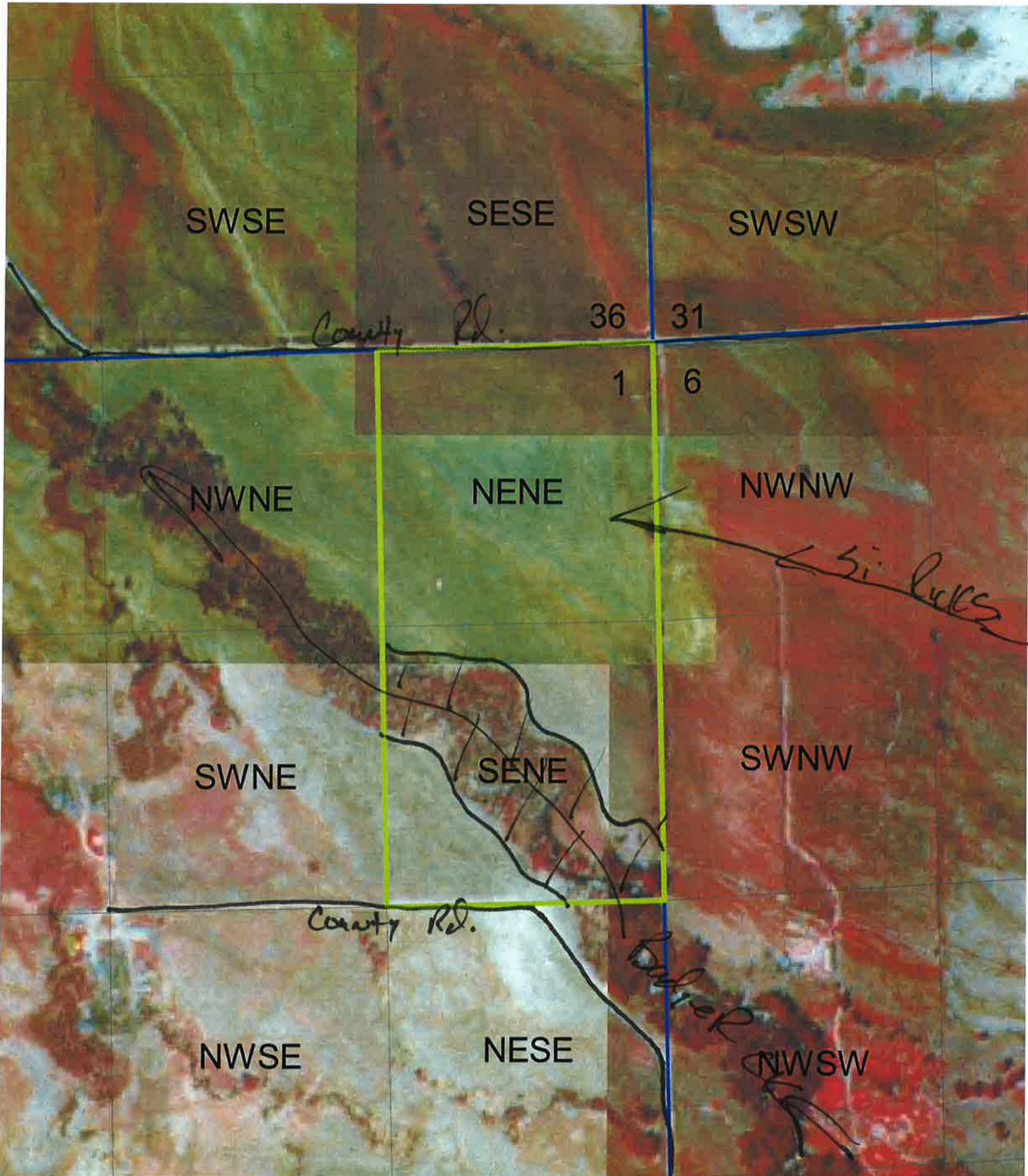
④ GPS Tag # A0014393

Reviewer: _____ Date: _____

22-13206

10-25-04

CL





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 Eastern Region**
Incomplete forms will be returned.

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. Fiedelmann
J. Fiedelmann

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

Township 6 North
Range 44 East
Section 1

Ward
1 acre

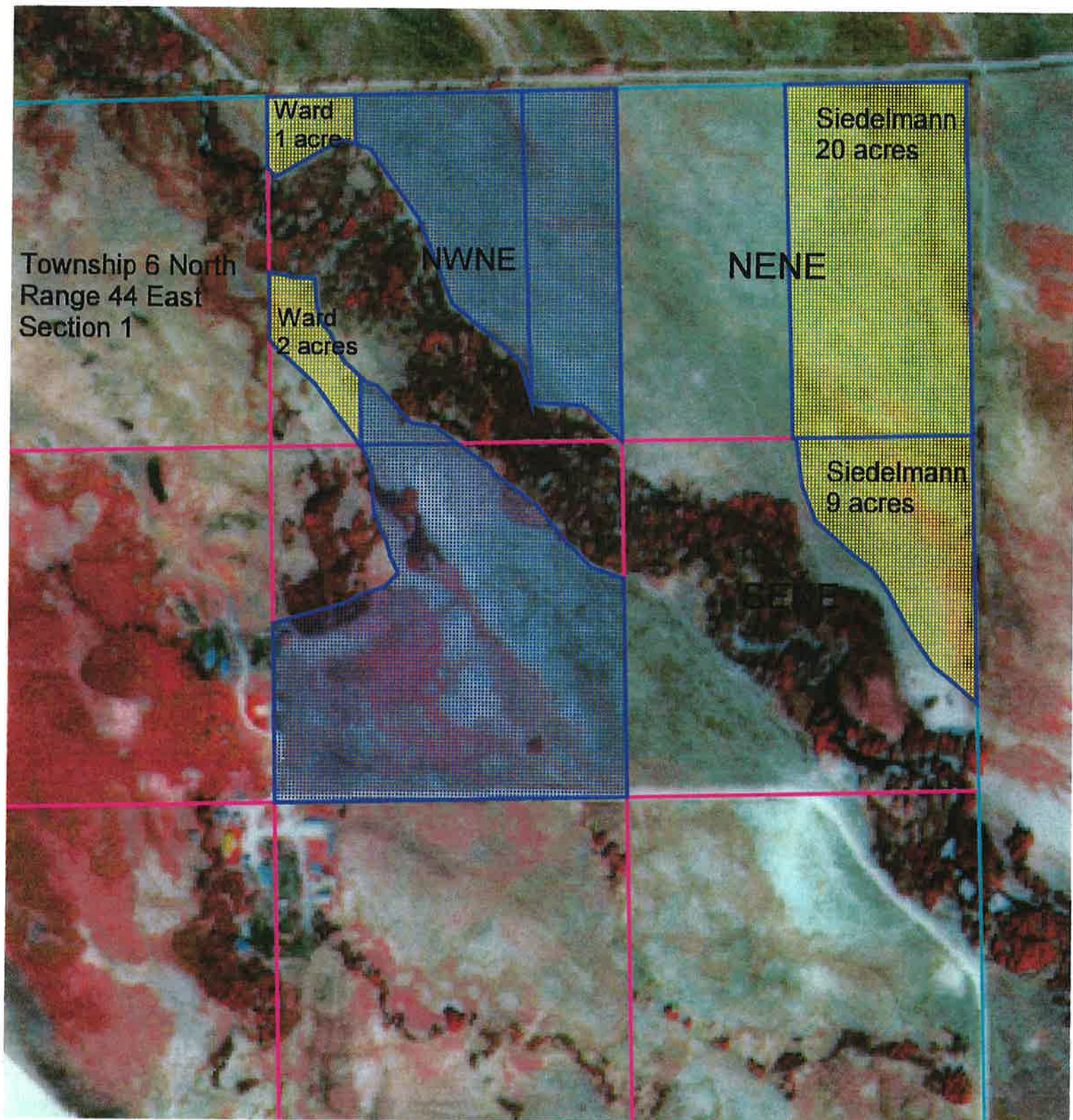
Ward
2 acres

NWNE

Siedelmann
20 acres

NENE

Siedelmann
9 acres



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 22-13206
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: 06/01/1898

3. Source: BADGER CREEK

Trib. to: 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	NE	NE	IRRIGATION	20
			SE	NE	IRRIGATION	9
					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 22-13194.

15. Basis of Claim: Decreed