

11/03/2006

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

RIGHT NUMBER: 22-13226
NAME AND ADDRESS: TONI JEAN HILL
178 S 600 W
DRIGGS ID 83422
EDWIN C HILL
178 S 600 W
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK TRIBUTARY: TETON RIVER
QUANTITY: 1.600 CFS
PRIORITY DATE: 06/01/1896
POINT OF DIVERSION: T04N R44E S1 NESWSE 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	1.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S31 Lot 4 SWSW 37.00	T05N R45E S31 SESW	40.00
	77 ACRES TOTAL		

Right Nos. 22-13226 and 22-13241 are limited to the irrigation of a combined total of 77 acres in a single irrigation season.

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 22-190



Idaho Department of Water Resources

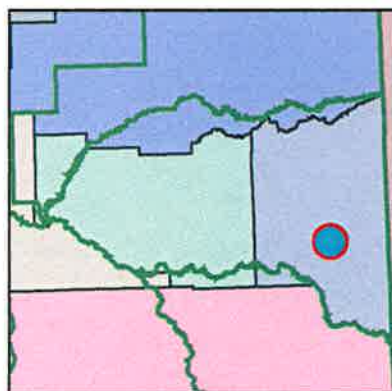
SRBA Recommendation:

22-13226

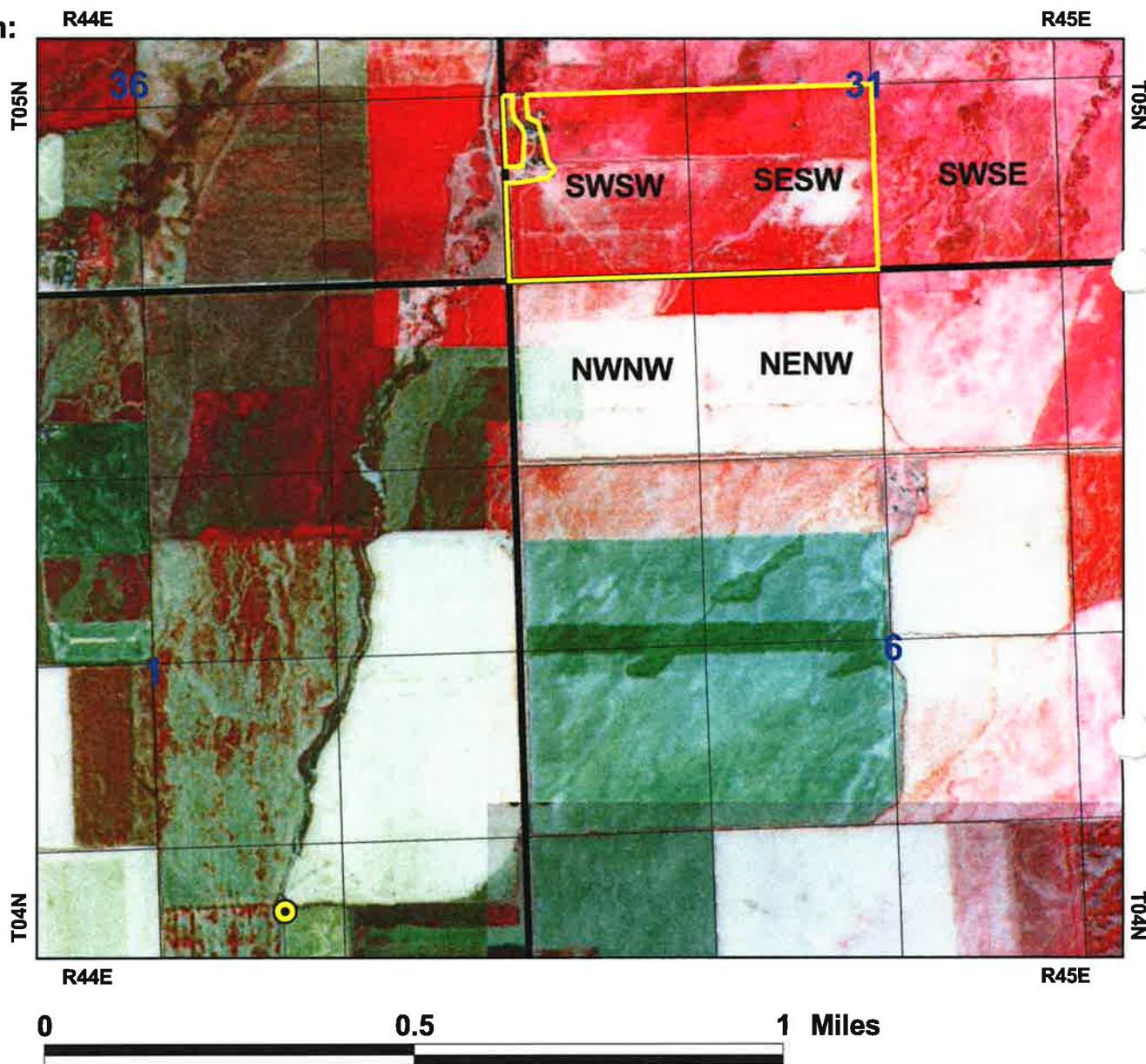
22-13241

Legend

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



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Monday, May 15, 2006
1987/88 Aerial Photography

5-15-06

- claimant only claims ⁸⁰~~160~~ acres of the original 160 acres.
- decreed ^{3.2}~~1.6~~ cts for 160 acres
- $1.6/160 = .01$
- $.01 \times 80 = 0.8$ cts ~~8 cts~~ 1.6 cts

~~0111~~ 22-0189
 Bush, Sarah M. 150 inches. June 1, 1895.
~~0111~~ 22-0189
 Butteana, James
~~0111~~ 1 035
 Butler Island
 Canal Company 3,500 inches June 1, 1885.
 Trans # 645-641-643-677-714-764-1025
 Butler, J. H.

Butler, Joseph W.

Butler, Mary A.

~~0111~~ 1 036
 Butte & Market
 Lake Canal
 Company 18,000 inches Oct. 16, 1890
~~0111~~ 22-0190
 Buxton, John 150 inches. June 1, 1896.
~~0111~~ 22-0191
 Buxton, Lucy,
 Admr. Estate of
 Joseph Buxton,
 deceased. 100 inches June 1, 1896.
~~0111~~ 22-0191
 Buxton, Mary A. 100 inches. June 1, 1890.
~~0111~~ 22-0192
 Buxton, Stillman 100 inches. June 1, 1903.
~~0111~~ 22-0192
 Byrne, Michael 120 inches. June 1, 1890.
~~0111~~ 22-0192
 Byther, C. J. 140 inches. Oct. 11, 1901.
 25-0249

C.

Cahoon, H. S.
~~0111~~ 23-0063
 Caldwell, Charles 120 inches. June 15, 1898.
~~0111~~ 23-0064
 Caldwell, John T. 120 inches. June 15, 1898.
 Caldwell, L. S.
 and S. C.
~~0111~~ 22-0193
 Caldwell, Moroni 160 inches. June 1, 1895.
 Campbell, U. F.
~~0111~~ 22-0194
 Cannon, Harry L. 100 inches. June 1, 1897.
~~0111~~ 22-0195
 Canyon Creek.
 Canal & Irrig-
 ation Company. 800 inches. June 1, 1900.
~~0111~~ 22-0196
 Canyon Creek
 Canal & Irrig-
 ation Company 2,700 inches. June 1, 1902.
~~0111~~ 01-201
 Carlson, Carl T. 250 inches. June 1, 1903.
 Carlson, Frans E.

Teton Creek.

(Sold to N. Tanner, Jr.)

Snake River. Trans # 187-245-278
 # 314-337-340-402-519-525A.

Swan Valley Irrigation
 Company, Limited.

Swan Valley Irrigation
 Company, Limited

Swan Valley Irrigation
 Company, Limited.

Snake River. Trans # 267

Mohegany Creek.

Spring Creek.

Sloughs from Twin
 Creeks.

Sloughs from Twin
 Creeks.

Fox Creek.

Bear Trap Creek.

Lowder Canal Company. ✓

Rainey Creek. ✓

Rainey Creek.

Parsons Ditch Company. ✓

Pack Saddle Creek.

Parsons Ditch Company.

Darby Creek. TRANS # 1965

Canyon Creek. TRANS # 1485

Canyon Creek.

Bannock Jim Slough.

The Sunny Dell Irrig-
 ation Canal Company. ✓

of said lands and the names of said stock holders not being given in the pleadings of said Company.

Buxton, John

Lot 4 and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 31, T 5 N.
R. 45 E., B. M., and Lots 3 and 4 of
Sec. 6 T. 4 N. R. 45 E., B. M. containing
160 acres.

Buxton, Lucy
Admx.

NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, SE $\frac{1}{4}$ of NW $\frac{1}{4}$,
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 33, T. 6 N. R.
45 E., B. M., containing 160 acres.

Buxton, Mary A.

Lot 4, of Sec. 19, and Lots 1, 2 and 3
of Sec. 32, T. 5 S., R. 45 E., B. M.
containing 158.22 acres.

Buxton, Stillman

SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$
of SE $\frac{1}{4}$ of Sec. 30, T. 5 N., R. 45 E. B.
M., containing 160 acres.

Byrne, Michael

SW $\frac{1}{4}$ of Sec. 27, S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 26,
T. 4 N., R. 45 E., B. M. containing 240
acres.

Byther, C. J.

SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of
NE $\frac{1}{4}$, and Lot 1, Sec. 27, N $\frac{1}{2}$ of NE $\frac{1}{4}$
and N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 26, SE $\frac{1}{4}$
23, T. 5 N., R. 37 E., B. M.

Caldwell, Charles

(no description given.)

Caldwell, John T.

W $\frac{1}{2}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 4,
T., 1, N. R. 44 E., B. M., containing
120 acres

Caldwell, L. S.
and S. O.

N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 10, T. 3 S., R. 34 E.,
B. M., containing 80 acres.

Caldwell, Moroni

NE $\frac{1}{4}$ of Sec. 9, T. 5 N., R. 44 E., B.
M., containing 160 acres.

Water Right No(s). A22 - 13226



GPS DATA:

Tag # A0013804 Location: Concrete Structure

Diversion Data:

Source: Mahogany Creek Trib to: TETON RIVER

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: 11-19-04 Agent: NICK OLSON

101	Waddell, Mrs. L. E.; Sept. 1, 1891; Teton Creek	200
104	Grand Teton Canal Co.; May 1, 1892; Teton Creek. (Diverted in Wyoming)	6,360
105	Edlefson, Noah C.; June 1, 1892; Leigh Creek	120
105	Walton, George; June 1, 1892; Paradise Creek	100
105	Gjellrup, Carl; June 1, 1892; Darby Creek	160
105	Gilbert, Albert; June 1, 1892; Horse Shoe Creek	120
105	Ricks, Josiah; June 1, 1892; North Leigh Creek	160
105	Siddoway Irrigation & Manufacturing Co.; June 1, 1892; Teton River	384
	From July 1st of each year for the balance of the irrigation season	
105	Todd, John; June 1, 1892; Darby Creek	160
105	Todd, Henry M.; June 1, 1892; Darby Creek	200
107	Davidson, L. S.; July 26, 1892; Darby Creek	155
111	Attis, Alice, and Joseph; May 1, 1893; Trail Creek	80
111	gler, Jesse E.; May 1, 1893; Moody Creek	320
	To be reduced to 160 inches after June 20th in each year	
112	Jones, Benjamin; June 1, 1893; Trail Creek	160
112	Thomas, Henry E.; June 1, 1893; no stream proved	140
112	Wood, Samuel L.; June 1, 1893; Mahogany Creek	60
112	Young, Eva H., widow of Eugene H. Young (deceased); June 1, 1893; Warm Creek	160
112	Gale, Joseph; June 1, 1893; South Leigh and Swamp Creek	100
112	Gordon, S. A.; June 1, 1893; South Leigh Creek	40
112	Eddington, George; June 1, 1893; Teton Creek	160
116	Stephens, N. H.; May 1, 1894; Trail Creek	160
117	Sinclair, D. R.; June 1, 1894; Trail Creek	130
117	Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); June 1, 1894; Warm Creek	160
117	Ricks, Alfred; June 1, 1894; Moody Creek	15
	To be reduced to 100 inches after June 20th of each year	
117	Ricks, John; June 1, 1894; Trail Creek	200
117	Ricks, Alfred; June 1, 1894; Teton River	100
117	Hatch, Hyrum; June 1, 1894; Trail Creek	51
117	Moffat, John P.; June 1, 1894; Swamps	10
111	le, Joseph; June 1, 1894; South Leigh and Swamp Creek	160
117	Christensen, Niels C.; June 1, 1894; Fox Creek	40
117	Blattner, Rudolph; June 1, 1894; Darby Creek	80
117	Ellis, A. J.; June 1, 1894; Darby Creek	160
118	Eynon, L. L.; June 15, 1894; Spring Creek, a tributary of Pine Creek	160
119	Kirsley, Richard; June 30, 1894; Trail Creek	40
120	Frye, John; July 1, 1894; Trail Creek	160
128	Durney, P. S.; May 15, 1895; Little Warm Creek	20
129	Adams, E. G.; June 1, 1895; no stream proved	60
129	Ashmead, Charles; June 1, 1895; Teton Creek	150
129	Bush, Sarah M.; June 1, 1895; Teton Creek	100
129	Caldwell, Moroni; June 1, 1895; Pack Saddle Creek	150
129	Hermann, C. M.; June 1, 1895; Teton Creek	160
129	Moffat, Mary A.; June 1, 1895; Leigh Creek	80
129	Moffat, Andrew; June 1, 1895; South Leigh Creek and Swamps	80
129	Ingram, Thomas H.; June 1, 1895; Darby Creek	20
129	Lauritzen, John; June 1, 1895; Spring Creek	160
129	Kimball, Archie R.; June 1, 1895; Trail Creek	80

200

6,360

120

100

160

120

160

384

160

200

155

80

320

160

140

60

160

100

40

160

160

130

160

200

15

100

51

10

160

40

80

160

160

160

160

40

160

20

60

150

100

150

160

80

80

20

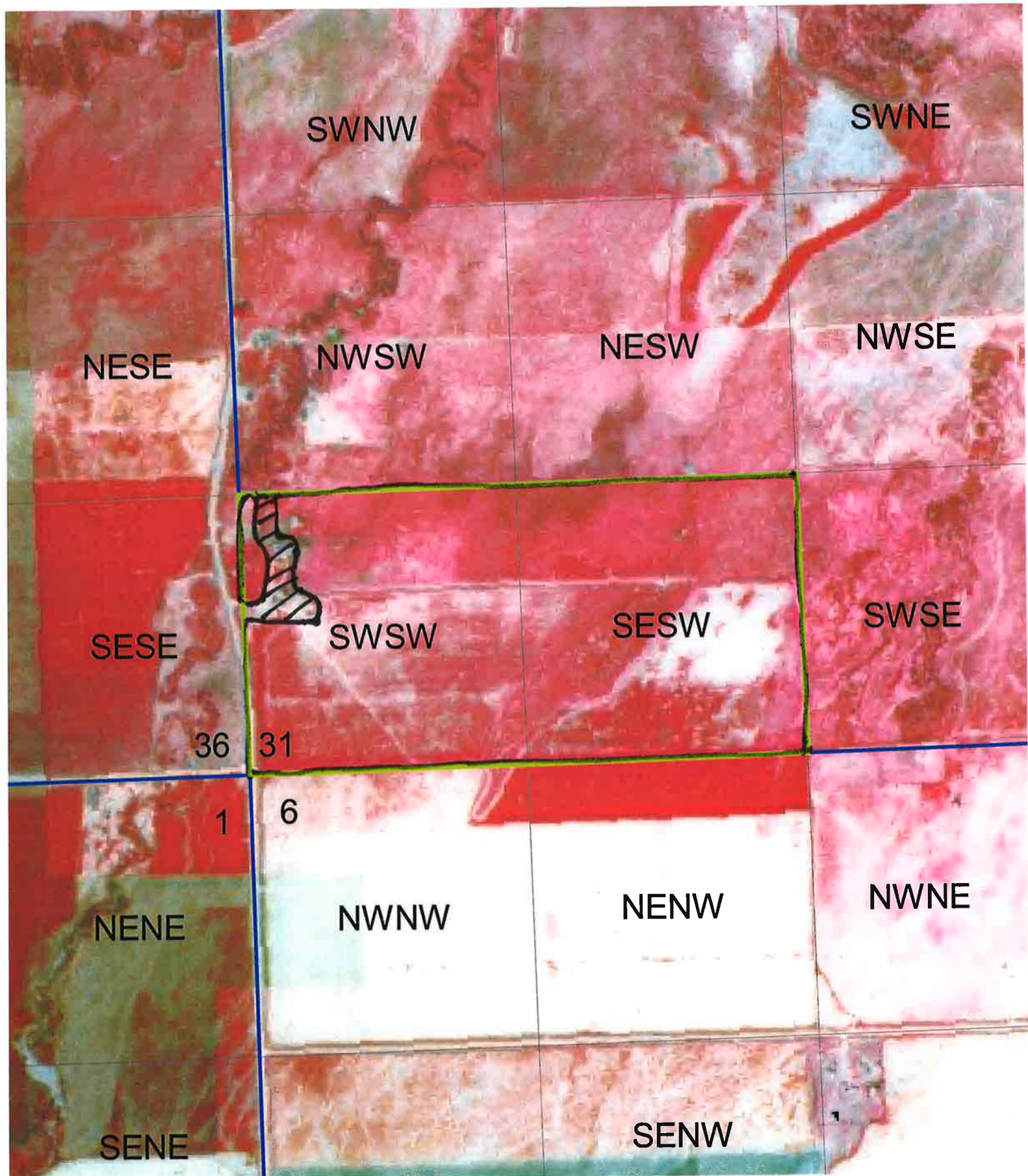
160

80

160

129	Kay, James; June 1, 1895; Trail Creek	140
129	Parker, B. F.; June 1, 1895; Fox Creek	15
129	Nordval, C.; June 1, 1895; Darby Creek	50
131	Spencer, Charles; June 15, 1895; Trail Creek	160
131	Costello, C. A.; June 15, 1895; Pine Creek	40
131	Costello, C. A.; June 15, 1895; Spring Creek	120
132	Tonks, George M.; July 15, 1895; Trail Creek	160
138	Beard, James T.; Apr. 1, 1896; Teton River	200
138	Huskinson, William J.; Apr. 1, 1896; Teton River	20
138	Smith, Albert; Apr. 1, 1896; Trail Creek	120
138	Smith, Albert; Apr. 1, 1896; Little Warm Creek	40
140	Blair, J. J.; May 1, 1896; Spring Creek	120
142	Stahn, Emil A.; May 15, 1896; Spring Creek	130
142	Moulton, Charles; May 15, 1896; Fox Creek	100
142	Moulton, George F.; May 15, 1896; Fox Creek	100
143	Edwards, Andrew; June 1, 1896; Trail Creek	40
143	Blair, Ed. F.; June 1, 1896; Trail Creek	160
143	Avery, Talitha C.; June 1, 1896; Trail Creek	160
143	Allen, Charles A.; June 1, 1896; Trail Creek	160
143	Barnes, Charles W.; June 1, 1896; Trail Creek	160
143	Bush, George W.; June 1, 1896; Fox Creek	100
143	Bush, George W.; June 1, 1896; Fox Creek	40
143	Buxton, John; June 1, 1896; Mahogany Creek	160
143	Buxton, Lucy, Adminr. Estate of Joseph Buxton (deceased); June 1, 1896; Spring Creek	100
143	Crandall, Ira; June 1, 1896; Darby Creek	100
143	Hamblin, Kate; June 1, 1896; Trail Creek	115
143	Hamblin, Joseph R.; June 1, 1896; Trail Creek	80
143	Griggith, Henry; June 1, 1896; Trail Creek	160
143	Hendrickson, Alvira E.; June 1, 1896; South Leigh Creek	
143	Hansen, Andrew C.; June 1, 1896; Teton Creek	80
143	Hanks, Harriet A.; June 1, 1896; North Leigh Creek	80
143	Robertson, A. I.; June 1, 1896; Springs on place	10
143	Moffat, John P.; June 1, 1896; Swamps	50
143	Lauritzen, John; June 1, 1896; Pine Creek	80
143	Ricks, Effie E.; June 1, 1896; Trail Creek	160
143	Rice, A. L.; June 1, 1896; Patterson Creek	160
143	Rice, A. L.; June 1, 1896; Patterson Creek	160
143	Peterson, A. L.; June 1, 1896; Darby Creek	160
143	Peterson, Chris; June 1, 1896; Trail Creek	160
143	Humbull, Olive A.; June 1, 1896; Trail Creek	150
143	Stone, Henry J.; June 1, 1896; Fox Creek	160
143	Sherman, William D.; June 1, 1896; Trail Creek	160
143	Walton, Dania; June 1, 1896; Darby Creek	120
143	Victor Town Site; June 1, 1896; Trail Creek	320
143	Vail, J. R.; June 1, 1896; Fox Creek	160
143	Taylor, Jackson C.; June 1, 1896; South Leigh Creek	90
143	Letham, John; June 1, 1896; North Leigh Creek	155
143	Murphy, Thomas E.; June 1, 1896; Darby Creek	160
143	Larson, Peter; June 1, 1896; Darby Creek	160
143	Larsen, K. M.; June 1, 1896; Darby Creek	40
143	Larsen, A. C.; June 1, 1896; Darby Creek	20
143	Kimball, R. C. and A. L.; June 1, 1896; Fox Creek	80
143	Johnson, W. R.; June 1, 1896; Trail Creek	96
143	Penfold, Farley; June 1, 1896; Fox Creek	20
143	Paseor, E.; June 1, 1896; Darby Creek	160
144	Pascoe, W. R.; June 15, 1896; Darby Creek	160
145	Larson, Andrew; July 1, 1896; Lauritzen Spring	40
145	Frye, John; July 1, 1896; Trail Creek	140
147	Eames, John S.; July 15, 1896; Teton River	25

22-13226





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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2002

EDWIN & TONI HILL
178 S 600 W
DRIGGS ID 83422

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-32 & 22-190

Dear Mr. & Mrs. Hill:

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:

22-32:

22-13241: 1.6 cfs, 80 acres, Edwin & Toni Hill
22-13242: 0.8 cfs, 40 acres, Thomas & Lexi Hill
22-13243: 0.8 cfs, 40 acres, Thomas E. Hill Family Ltd Partnership

22-190:

22-13226: 1.6 cfs, 80 acres, Edwin & Toni Hill
22-13227: 0.8 cfs, 40 acres, Thomas & Lexi Hill
22-13228: 0.8 cfs, 40 acres, Thomas E. Hill Family Ltd Partnership

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

Jennifer Crabtree

Technical Records Specialist

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

RECEIVED

MAR 15 2002

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 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).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A22-00190	X				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)

Edwin C. Hill or Toni Jean Hill
 178 So. 600 W., Driggs, ID 83422

4. New Owner/Claimant(s)

Thomas E. Hill and/or Lexie G. Hill

Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

123 So. 500 W., Driggs, ID 83422

City, State and ZIP Code

Driggs, ID 83422

New Telephone Number

(208) 354-2450

5. Date you acquired the property

April 30, 1997

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 22-13226
Date Received: 4/18/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TONI JEAN HILL Phone: (208)354-2747
178 S 600 W
DRIGGS ID USA 83422

EDWIN C HILL Phone: (208)354-2747
178 S 600 W
DRIGGS ID USA 83422

2. Date of Priority: 06/01/1896

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	6	NW NW NW 4	TETON R	
04N	44E	1	NE SW SE	TETON	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH TO REDIVERSION PUMP OR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1.6	

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

8. Total consumptive use:

9. Non-irrigation uses:

A2213226



10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05N	45E	31	SW	SW	4	IRRIGATION	40
			SE	SW		IRRIGATION	40
						Section Acres	80
						Total Acres	80

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 22-190

15. Basis of Claim: Decreed