

11/20/2006

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

RIGHT NUMBER: 22-13248

NAME AND ADDRESS: PRICE BROS
73 HARPER BOX 563
DRIGGS ID 83422

MARLENE T PRICE
PO BOX 212
DRIGGS ID 83422

JAMES W PRICE
PO BOX 212
DRIGGS ID 83422

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON RIVER

QUANTITY: 0.230 CFS

PRIORITY DATE: 06/19/1920

POINT OF DIVERSION:

T05N R45E S33 NENESE Within TETON County

T05N R45E S34 SESENW 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	0.230 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S34	NESW 3.40	T05N R45E S34 NWSW 8.80
	12.2 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 -

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-11747



Idaho Department of Water Resources

SRBA Recommendation:

22-13248

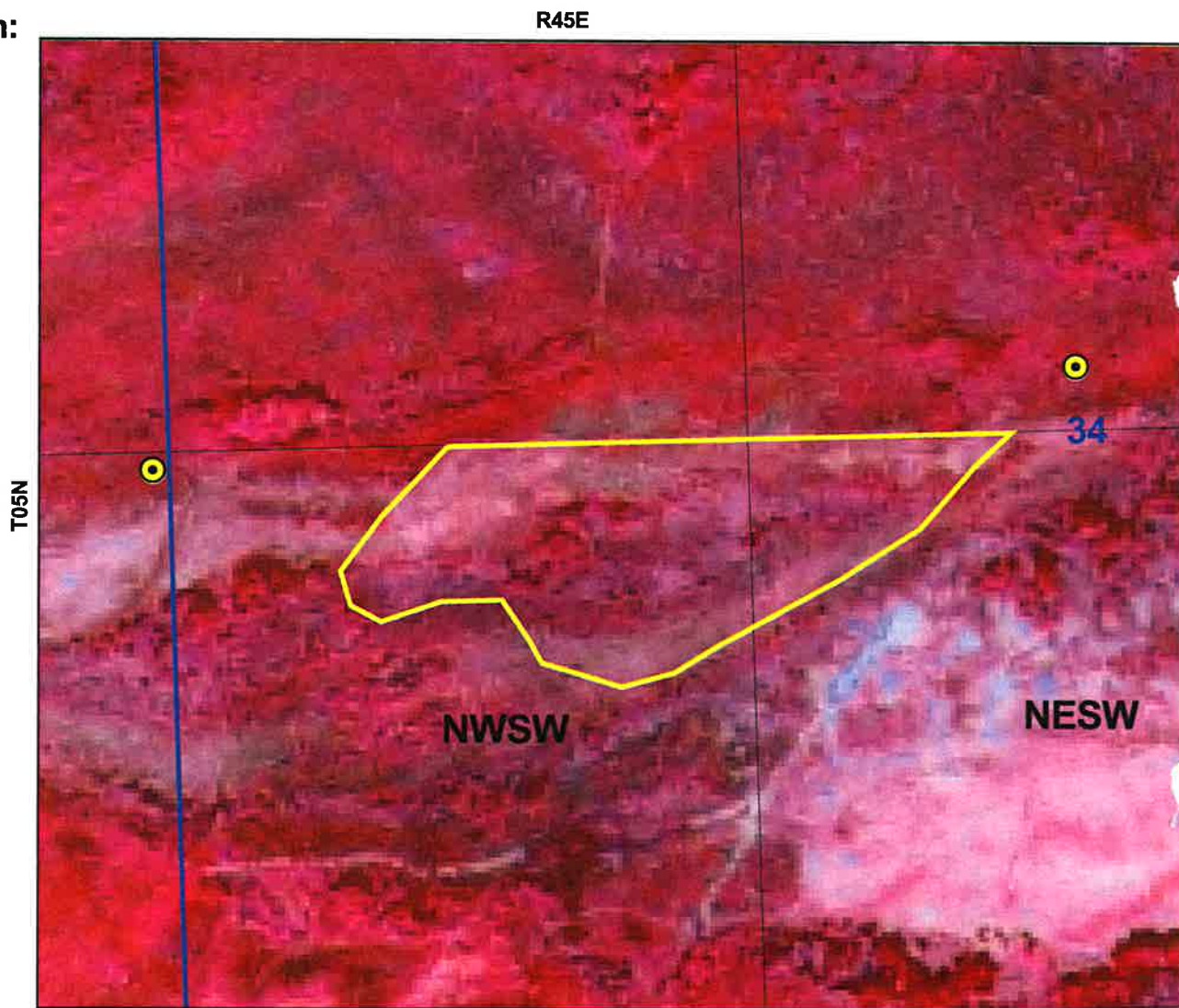
(Irrigation)

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 Monday, November 20, 2006
1987/88 Aerial Photography

WATER RESOURCES
DISTRICT OFFICE
MYLINE DR.
IDAHO 83402

POSTAL SERVICE
REQUESTED

 **ATTEMPTED,
NOT KNOWN**

★ ★  PITNEY BOWES
★ ★ U.S. POSTAGE
1191 PB3523907
8912 \$00.870 JAN 05 2007
8367 MAILED FROM ZIP CODE 83402

SCANNED
JUL 02 2007

RECEIVED
JAN 11 2007

Department of Water Resources
Eastern Region

PRIC563* 834222001 1N 11 01/09/07
UNABLE TO FORWARD

NO FORWARD ORDER ON FILE

RETURN TO POSTMASTER
OF ADDRESSEE FOR REVIEW

83422

PRICE BROS
73 HARPER BOX 563

~~PRICE BROS 83402~~

DR

22-78

22-84

22-13246

22-13248

22-13610

22-13612

Sent
1-19-07

22-480C 129H
136G
13290 7029
13413 7349
11526 7373
11529 13590
11530 13540
350

22-621A 78
13372 84
7388 13246
7339 13248
12064 13610
2128 13612
10835 133A
2281 278
12533 7178
12629 7215B
2146 12239
4076 2206
184A 11677
10105 178A
2293 178B
11384 10234
4139 13457
4161 7403

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION
IDAHO FALLS ID
208-525-7161 - PHONE
208-525-7177 - FAX

7338
276A
408B
409B
410B

TRANSMITTAL COVER SHEET

OMNIFAX

FAX: 354-8410

TO: JESSIE FROM: JENNIFER
Teton County Assessor

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

* * *

* Billing address: N/A * *

* * *

* * *

* * *

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

* * *

SCANNED

JUL 02 2007

RECOMMENDATIONS TO THE COURT

Based upon the foregoing findings of fact and conclusions of law, the Director makes the following recommendations:

1. The plaintiffs' right to the use of water shall be as follows:

- 22-0685
- a. source: unnamed stream, tributary to Teton River
thence the Snake River
 - b. date of priority: June 19, 1920
 - c. nature of use: Irrigation
 - d. rate of diversion: 1.5 cfs
 - e. points of diversion: NE1/4 SE1/4 Sec. 33
NW1/4 SW1/4 Sec. 34
SW1/4 SW1/4 Sec. 34
All in T. 5 N., R. 45 E.,
B. M.
 - f. place of use:
 - Section 33: NW1/4 SE1/4 (28 acres)
NE1/4 SE1/4 (23 acres)
SW1/4 SE1/4 (2 acres)
SE1/4 SE1/4 (8 acres)
 - Section 34: NW1/4 SW1/4 (14 acres)
SW1/4 SW1/4 (5 acres)
 - All in T. 5 N., R. 45 E., B. M. (80 acres
total)
 - g. period of use: April 15 to October 15 of each year

Full Decree in 22-13247

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: P. Price, et al Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

This is a DECROD ANDOR PRICE IS CANNON AS 22-6851
ORIGINALLY CLAIMED AS 22-11747 - SUBSEQUENTLY SPLIT TO
22-13247 AND 22-13248.

Reviewer: _____ Date: _____

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JUL 02 2007

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 6/19/1920 Claimed Basis: DECREERecommended Priority Date: _____ Recommended Basis: DECREE

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DECREECivil Case No. 1948 documents, ie, Recommendations to the
Court, P.L. 11) List Rt as Beneficial Use.IDWR WR Record for 22-685 shows status as DECREE.Recommend DECREE Status - Court Action & IDWR Records

Reviewer: _____

Date: _____

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JUL 02 2007

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

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
5N	45E	33		NBSE	Teton	Mudgum Stream	Teton River
		34		SWSW	"	"	"
		34		NWSW	"	"	"
		34		SESENW	"	"	"

cp 3

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Adds POD in SESENW - OK

Reviewer: _____ Date: _____

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JUL 02 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

☐ Not Deliverable As Addressed
☐ Unable To Forward
☐ Insufficient Address
☐ Moved Left No Address
☐ Unclaimed Letter
☐ Attempted - No Answer
☐ No Such Street
☐ Vacant ☐ Illegible
☒ No Mail Receptacle
☐ Box Closed No Order
☐ Returned For Better Address
☐ Postage Due

R# _____
 Carr init _____
 Date _____

JAMES W PRICE
 MARLENE T PRICE
 410 N 1ST E
 DRIGGS ID 83422

★ ★ PITNEY BOWES
 ★ ★
 U.S. POSTAGE 1740 PB3523907
 8926 \$00.370 MAR 02 2004
 0642 MAILED FROM ZIP CODE 83402

New!
 PO Box 212
 DRIGGS, ID 83422
 1002 2 0 711
 SCANNED

22-11943
 13246
 13248
 461
 7043
 78
 84



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 13, 2002

DAVID MC WETHY
JAMES MC WETHY
LAURA MC WETHY
SAUNDRA SEWELL
107 SHADOW END
VICTOR ID 83455

RE: CHANGE IN OWNERSHIP FOR 22-11747 & 22-11942

Dear Claimants:

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:

22-11747: *Prion Docket No. 22-685, 6/19/1920*

22-13247: 1.14 cfs, 122 AFA, 61 acres, McWethy, et al

22-13248: 0.36 cfs, 38 AFA, 19 acres, Price, et al

} OK

1.50 OK
22-11942: *CLAIMED AS BU 6/19/1920*

22-13245: 3.91 cfs, 130 AFA, 61 acres, McWethy, et al

22-13246: 5.81 cfs, 194 AFA, 91 acres, Price, et al

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.

SCANNED

JUL 02 2007

Respectfully submitted,

Jennifer Crabtree

Jennifer Crabtree

Technical Records Specialist

cc: James Price
Price Brothers
Marlene Price

SCANNED
JUL 02 2007

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

OK QC 6-13-02
RECEIVED

MAY 21 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
	22-11747	X			
	22-11942	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)

4. New Owner/Claimant(s)

David B. McWethy Sandra Sewell James B. McWethy Laura McWethy

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

New Mailing Address

107 Shadow End

City, State and ZIP Code

Victor, ID 83455

New Telephone Number

(208) 787-4163

5. Date you acquired the property

APRIL 17th, 2002

SCANNED

JUL 02 2002

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)

Daniel B. McWetney

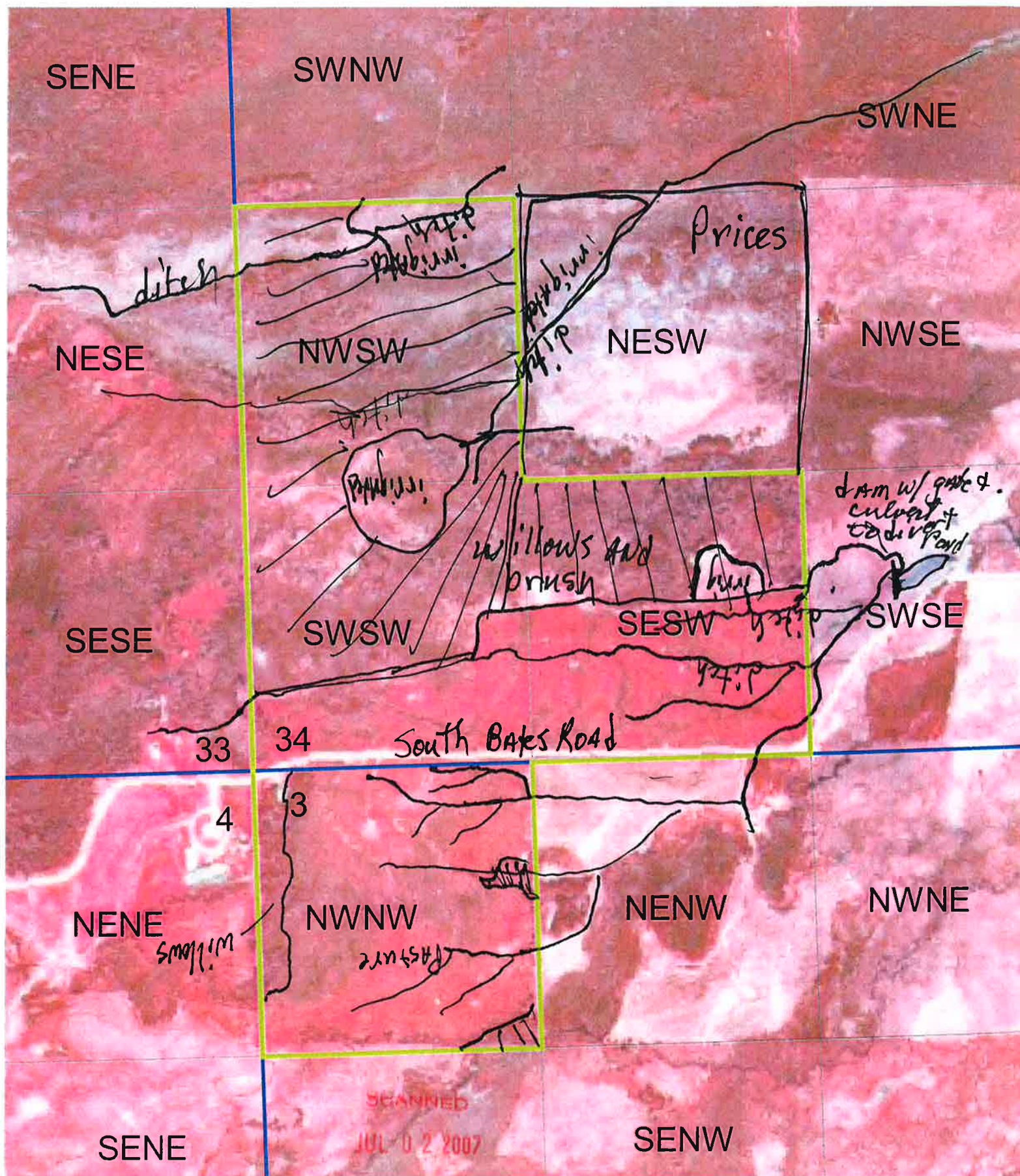
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____	SCANNED JUL 02 2007
Receipted by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____ Date _____	

22-132406 22-13246

6/29/04 00



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 22-13248
Date Received: 6/13/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PRICE BROS Phone: (208)354-2252
73 HARPER BOX 563
DRIGGS ID 83422

MARLENE T PRICE Phone: (208)354-2381
410 N 1st E
DRIGGS ID USA 83422

JAMES W PRICE Phone: (208)354-2381
410 N 1st E
DRIGGS ID USA 83422

2. Date of Priority: 06/19/1920

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
05N	45E	33	NE NE SE	TETON	
05N	45E	34	SE SE NW	TETON	
05N	45E	34	SE NW SW	TETON	
05N	45E	34	NW SW SW	TETON	

5. Description of diverting works:

CANVAS DAMS DIVERT THE WATER INTO DITCHES

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15 0.36	38

A2213248



7. Total Quantity Appropriated is:
0.36 C.F.S. and/or 38 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
05N	45E	34	NW	SW	IRRIGATION	14
			SW	SW	IRRIGATION	5
					Section Acres	19
					Total Acres	19

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 22-11747

15. Basis of Claim: Decreed