

06/21/2006

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

RIGHT NUMBER: 22-13543

NAME AND ADDRESS: JOANNA JOHNSON
1050 S PARK RD
JACKSON WY 83001

SOURCE: FOX CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:
T04N R46E S29 SWSWNE Lot 4 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	0.520 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T04N R45E S23	NENE 26.00	
	26 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

This right is renumbered from former right 22-166

06/21/2006

**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: 22-13543

JOANNA JOHNSON
1050 S PARK RD
JACKSON WY 83001
Telephone Number: (307)733-5105

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/5/06 SIGNATURE: Joanna Johnson
Please print your name: JOANNA JOHNSON

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



Idaho Department of Water Resources

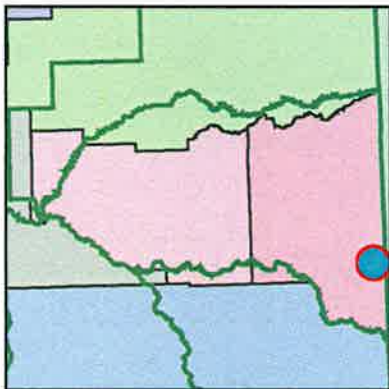
SRBA Recommendation:

22-13543

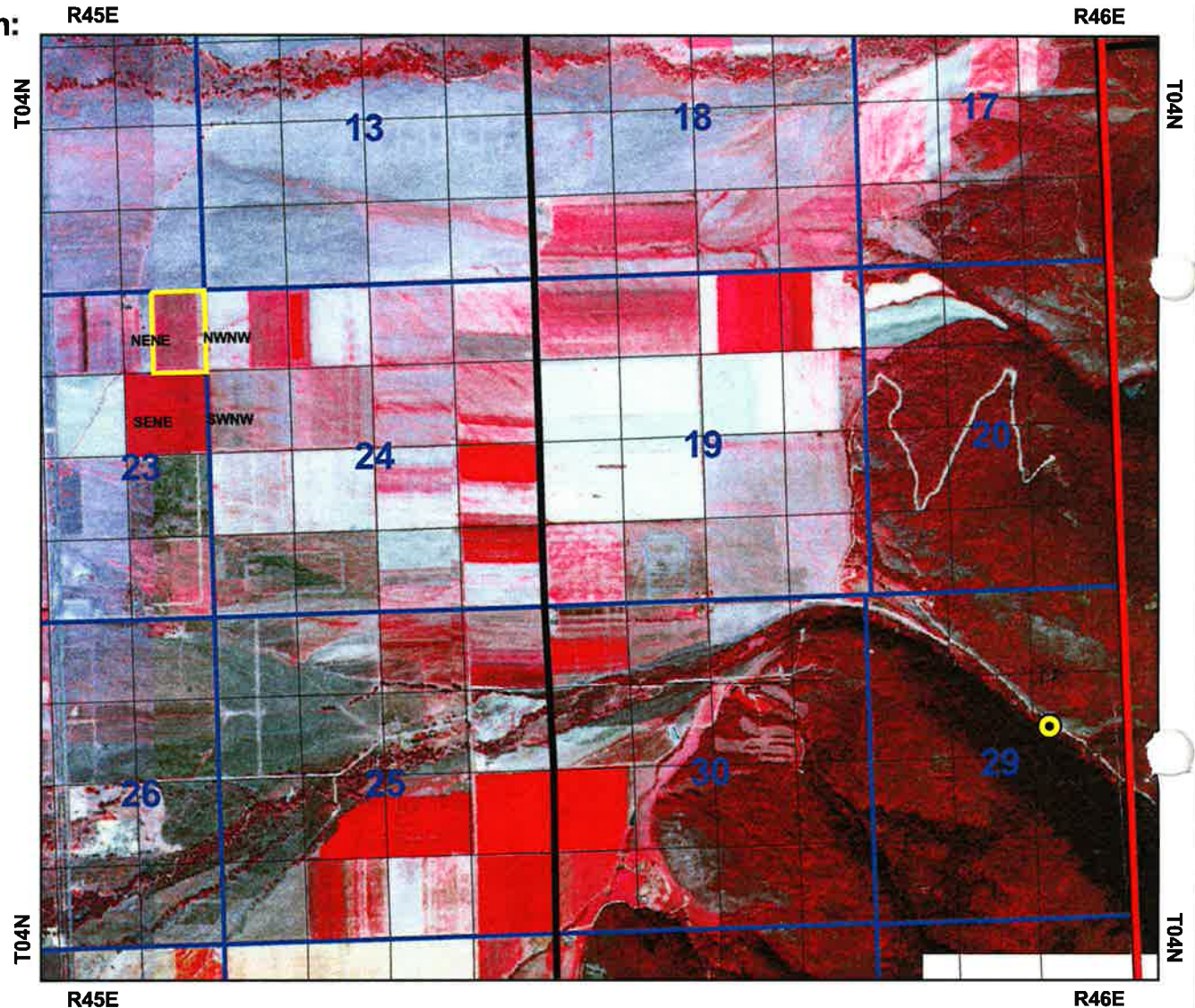
(Irrigation)

Legend

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



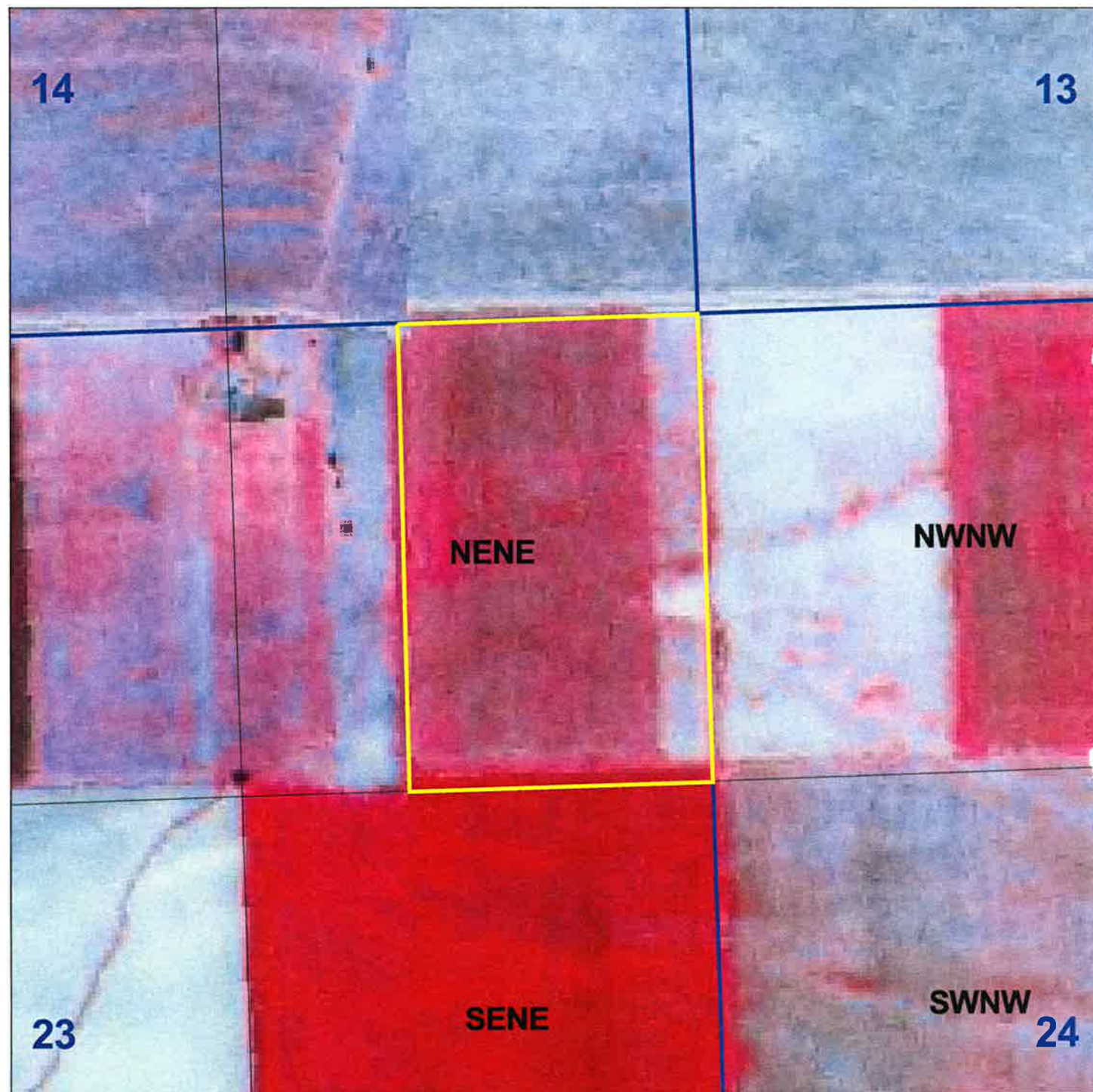
Teton County
IDWR Basin 22



0 1 2 Miles

Prepared by T. Galbraith
On Wednesday, June 21, 2006
1987/88 Aerial Photography

22-13543



01-0041 0026 ✓ 22-0647

Barret, Nathan A. 160 inches. May 11, 1900. Driggs Springs, and water from swamp.

01-0042 23-0012 ✓

Barrus, John N. 160 inches. May 20, 1889. Palisade Creek.

01-0043 23-0013 ✓

Barrus, John N. 140 inches. June 30, 1890. Palisade Creek

Barrus, R. H.

Watson Plough Irrigation Company.

01-0044 22 0162 ✓ 22970

Bates, Thomas 140 inches May 3, 1889. Mahogany Creek.

01-0045 22 0014 ✓

Beam, Charles 120 inches. June 1, 1895. Rainey Creek.

01-0046 23 0015 ✓

Beam, Frank 40 inches June 1, 1898. Rainey Creek.

01-0047 23 0016 ✓

Beam, Herbert L. 150 inches. June 1, 1891. Rainey Creek.

01-0048 23 0017 ✓

Beam, Matilda E. 80 inches. Sept. 19, 1897. Rainey Creek.

01-0049 23 0018 ✓

Beam, Nellie M. 80 inches. June 1, 1893. Rainey Creek.

01-0050 22 0163 ✓ 22089

Beard James T. 200 inches. Apr. 1, 1896. Teton ^{River} Creek.

01-0051 22 0164 ✓

Beasley, Joseph 70 inches. June 1, 1899. Teton River. Also, springs on ranch.

Beckstrand, Charley

Beckstrom, Niels.

01-0052 22 0165 ✓

Beezley, Ebenezer and J. 80

01-0053 22 0166 ✓

Beezley, Ebenezer and J. 80

01-0054 21 0022 ✓

Bell, Joseph 260

Belnap, A. W.

01-0055 23 0019 ✓

Bernard, Alfred Joseph 160

01-0056 23 0020 ✓

Bernard, Alfred Joseph 80

01-0057 23 0021 ✓

Bernard, Alfred Joseph 80 inches.

01-0058 22 0167 ✓

Bernston, Richard 160 inches. June 1, 1899. Badger Creek.

Bess, O. C.

The Farmers' Friend Canal Company.

01-0059 22 0168 ✓

Bettis, Alice and Joseph 80 inches.

01-0060 22 0169 ✓

Bevan Maria 80 inches. Apr. 6, 1901. Swamp Creek.

Ernie said assume
166 is for north
80 and 165 for
South 80 and give
Joanna 1" to the
acre. 52 cts
-Renumber to a 13k #

Beckstead, W. W.

Beginning 50 rods S of NE corner of NE $\frac{1}{4}$ of Sec. 15. T 6 N., R. 40 E., B. M., thence S 50 rods, thence W 160 rods, thence N 50 rods, thence E 160 rods, to beginning, containing 50 acres.

Beezley,

Ebenezer and J.

NE $\frac{1}{4}$ of Sec. 23, T 4 N., R 45 E., B. M. containing 160 acres.

Beguin, J. W.

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 25. T 1 N., R. 37 E., B. M., containing 80 acres.

Bell, Joseph

E $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 20, T. 8 N., R 42 E., B. M., containing 160 acres.

Belnap, A. W.

E $\frac{1}{2}$ of W $\frac{1}{2}$ of Sec. 32, T 7 N., R. 40 E., B. M. containing 160 acres.

Benton, C. E.

SW $\frac{1}{4}$ of Sec. 27, T./N., R 37 E., B. M., containing 160 acres.

Bernard,
Alfred Joseph

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7 NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 8 SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 5, T. 1 N., R 44 E., B. M., E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 36. T 2 N., R. 44 E., B. M. SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 6, SW $\frac{1}{4}$ of Sec. 5 T 1 N., R 44 E., B. M. containing in all 320 acres.

Bernston,
Richard,

E $\frac{1}{2}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and Lot 3, Sec. 6, T. 6 N., R. 45 E., B. M.

Bettis, Alice
and Joseph

W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 14, T N., R. 45 E., B M., containing 80 acres.

Hevan, Maria

N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 17, T. 5 N., R 45 E., B. M. containing 80 acres.

Big Bend Canal
Company

Lands of stockholders, the description of said lands and the names of said stock holders not being given in the pleadings of said company.



Claim No. 22-164

Document Checklist

☒ Copy License/Decree

Rexburg vs Teton? not sure
Q?

☐ Copy Transfer

N/A

☐ Copy Licensing Field Exam

N/A

☐ Check if Ownership/Address Change is Required

N/A

☐ Generate, mail and file "Evidence of Priority" letter

N/A

☒ Generate Arcview Map

- Part of NW Pipeline also has 26 shares of
fox creek canal

- 6-18-06 TG

4N 45E
22-166



44	Four, E. B.; June 1, 1886; Spring Creek	50
45	Nave, Martin L.; June 1, 1886; Moody Creek	50
	To be reduced to 25 inches after June 20th of each year	25
46	Nave, Martin L.; June 1, 1886; Teton River	25
47	Breckenridge, David; June 1, 1887; North Leigh Creek; also Swamp Creek for a late right	260
48	Borrowman, John; June 1, 1887; Wood Creek and Springs	60
49	Jeppson, Hans J.; June 1, 1887; Bigler Slough	80
50	Hegsted, Victor; Sept. 1, 1887; Horse Shoe Creek	30
51	Hegsted, Victor; June 1, 1888; Horse Shoe Creek	290
52	North Salem Agricultural & Milling Canal Co.; Teton River	1,325
	As a high water right until July 1st of each year	
53	Walters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Ions H. Anderson	168
54	Woods, William S.; June 1, 1888; Twin Creeks	200
55	Woodmansee, Charles H.; Mar. 15, 1889; Moody Creek	160
	To be reduced to 80 inches after June 20th of each year	80
56	Curtis, Owen; Apr. 1, 1889; Trail Creek	160
57	Little, Zina W.; Apr. 1, 1889; South Leigh Creek	120
58	Hill, William; Apr. 5, 1889; Pack Saddle Creek	280
59	Mortensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch)	112
60	Bates, Thomas; May 3, 1889; Mahogany Creek	140
61	Beezley, Ebenezer, and J.; June 1, 1889; Fox Creek	80
62	Drake, Fred J.; June 1, 1889; John Creek	150
63	Blanchard, John; June 1, 1889; Warm Creek	40
64	Bowles, H. C.; June 1, 1889; Spring Creek	140
65	Drake, William; June 1, 1889; Mahogany Creek	10
66	Lund, William P.; June 1, 1889; Mahogany Creek	160
67	Hubbard, Frank, and wife; June 1, 1889; North Leigh Creek	150
68	Swanner, Samuel; June 1, 1889; South Leigh Creek	40
69	Walton, D. O.; June 1, 1889; Darby Creek	20
70	Jones, Benjamin; June 1, 1889; Trail Creek	20
71	McPherson, Abner; June 10, 1889; North Leigh Creek	160
72	Ions, F. W.; June 15, 1889; Trail Creek	160
73	Tonks, George M.; July 5, 1889; Trail Creek	95
74	Tonks, George M.; July 15, 1889; Fox Creek	55
75	Kirsley, Mary E.; Sept. 1, 1889; Warm Creek, Spring Creek and Deep Creek	80
76	Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River	620
77	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	3,000
78	Teton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird head-gate near the Teton Mill)	500
79	Kirsley, Mary E.; Apr. 1, 1890; Warm Creek; Spring Creek and Deep Creek	80
80	Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek	115
81	Wolf Ditch Co.; Apr. 1, 1890; Teton River	2,335
82	Robertson, A. I.; Apr. 1, 1890; Trail Creek	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

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

Renumbered from 22-166

Ident. Number 22-13543
Date Received: 10/27/1988
Receipt No: E027913
Received By:

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

1. Name of Claimant(s)

JOANNA JOHNSON Phone: (307)733-5105
1050 S PARK RD
JACKSON WY USA 83001

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	Type
04N	46E	29	SW SW NE 4	TETON	

5. Description of diverting works:

Head of Fox Creek Canal Co. Into Northwest Pipeline

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.66	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	45E	23	NE NE	IRRIGATION	26
Section Acres					26

Total Acres

26

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 renumbered from former right 22-166

15. Basis of Claim: Decreed

DEC 23 1992

111868

WARRANTY DEED

For Value Received FRED W. STAEHR and JEAN F. STAEHR, husband and wife, as joint tenants with full rights of survivorship as to an undivided one-third (1/3) interest; MARIE B. STAEHR MCMILLIN, a married woman as her sole and separate property as to an undivided one-third (1/3) interest; WILLIS L. DRIEWER and BARBARA M. DRIEWER, husband and wife, as joint tenants with full rights of survivorship as to an undivided one-sixth (1/6) interest; and JIMMY L. SPAHR and LINDA S. SPAHR, husband and wife, as joint tenants with full rights of survivorship as to an undivided one-sixth (1/6) interest; all such undivided interests to be held as tenants in common.

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JOANNA JOHNSON, a single woman
whose address is: P.O. BOX 2139, JACKSON, WY, 83001

Hereinafter called the Grantee, the following described premises situated in Teton County, Idaho, to-wit:

That portion of the N1/2NE1/4 Section 23, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho, described as follows:

Beginning at a point N 89 degrees 51'04" E., 1809.06 feet along the North line of Section 23 from the N1/4 corner of said Section 23; thence N 89 degrees 51'04" E., 849.09 feet to the NE Corner of said Section 23; thence S 00 degrees 07'48" W., 1334.27 feet to the SE Corner of the N1/2NE1/4; thence N 89 degrees 58'12" W., 862.93 feet along the South Line of the N1/2NE1/4 to a point; thence N 00 degrees 43'33" E., 1331.71 feet more or less along fence line to the point of beginning.

SUBJECT to a county road and utility easement along the Northern Property line which varies from 29 feet to 30 feet.

SUBJECT to the following restrictions:

1. The property cannot be further subdivided into parcels less than eight (8) acres.
2. No mobile homes are allowed.

TOGETHER with all minerals and mineral rights, and oil and gas rights, geothermal properties and geothermal rights, water and ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Fred W. Staehr
FRED W. STAEHR

Jean F. Staehr
JEAN F. STAEHR

Jimmy L. Spahr
JIMMY L. SPAHR

Linda S. Spahr
LINDA S. SPAHR

Marie B. Staehr McMillin
MARIE B. STAEHR MCMILLIN

Willis L. Driewer
WILLIS L. DRIEWER

Barbara M. Driewer
BARBARA M. DRIEWER

111868

FILED

AT THE REQUEST OF

First American
A 30 MINUTE PAST 3 P M
DATE Dec. 23, 1992
Asa J. Drake
CLERK OF RECORDER
BY Nora Rigby
DEPUTY

