

10/06/2006

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

RIGHT NUMBER: 22-13553

NAME AND ADDRESS: TRAIL CREEK SPRINKLER IRRIGATION CO
PO BOX 131
VICTOR ID 83455

SOURCE: WARM CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.280 CFS

PRIORITY DATE: 09/01/1889

POINT OF DIVERSION:
T03N R45E S16 SENESE 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	0.280 CFS

PLACE OF USE:

6758.4 ACRES TOTAL

Place of use is within the area served by Trail Creek Sprinkler Irrigation Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 6758.4 acres in a single irrigation season. Combined Right Nos.: 22-90, 22-221C, 22-221D, 22-222A, 22-222C, 22-223, 22-245C, 22-355, 22-435A, 22-435C, 22-520, 22-559, 22-12981, 22-13000, 22-13001, 22-13002, 22-13003, 22-13004, 22-13005, 22-13006, 22-13007, 22-13008, 22-13009, 22-13010, 22-13011, 22-13553

This right is limited to the irrigation of 56.9 acres within the place of use described above 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

Water is delivered through Trail Creek Irrigation Company.

This right is renumbered from former right 22-602A.

10/06/2006

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: 22-13553

TRAIL CREEK SPRINKLER IRRIGATION CO
PO BOX 131
VICTOR ID 83455
Telephone Number: (208)787-2776

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: 12/5/06 SIGNATURE: John Winger
Please print your name: John Winger

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

RECEIVED

DEC 05 2006

Department of Water Resources
Eastern Region

MT
12/06



Idaho Department of Water Resources

SRBA Recommendation:

Trail Creek Sprinkler Irrigation Co.
Irrigated Acres = 6758.4

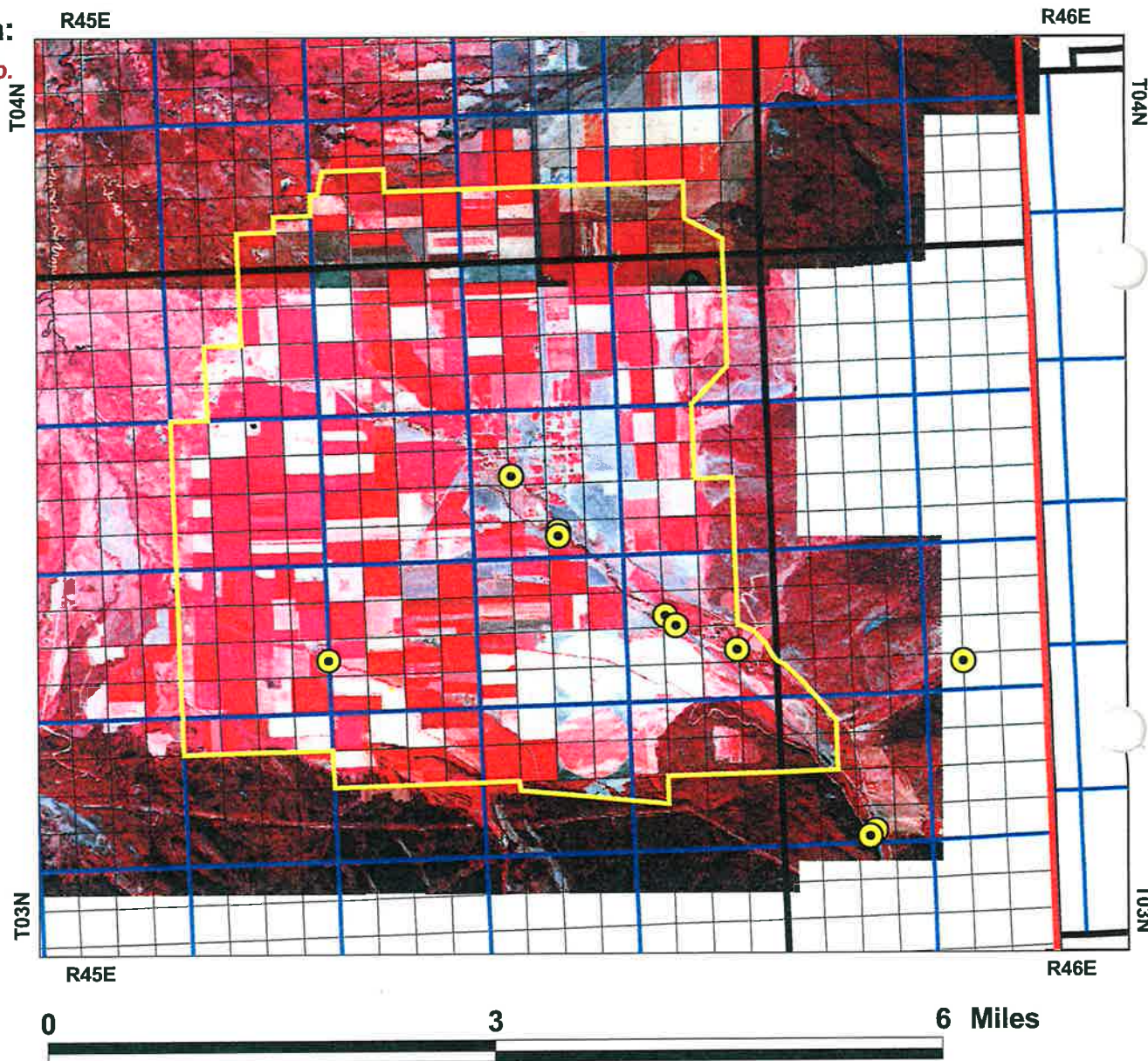
(Irrigation)

Legend

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

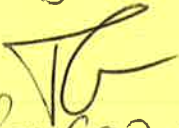


Teton County
IDWR Basin 22

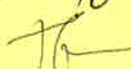


Prepared by T. Galbraith
On Thursday, October 5, 2006
1987/88 Aerial Photography

S-3-06

- Neither Lynn Kearsley nor Trail Creek Irrigation could provide proof of ownership for 22-602. I am relying on the evidence I have.
- In Tony's 1976 "Blue Book" 22-602 was delivered to Lynn Kearsley in full. Trail Creek was delivered 22-603 both of which were decreed to Mary Kearsley. In talking to Trail Creek Pres. John Winger, he said Mary deeded water over to Trail Creek but did not mention both rights. John also does not have any documentation to back up this transfer.
- I am recommending 22-602 in full to Lynn Kearsley.
-  The portion of 22-602 that is claimed under 22-602A needs to be disallowed and recommended as 22-602
- Trail Creek may be entitled to a portion of 22-175


7-21-06

- Transfer 1608 transferred 22-176 of John Blanchards but not 22-175 no evidence that trail creek owns it. Recommending it to Warm Creek as ~~22-175~~ a 10K #  Portion to trail creek

~~21 0028~~	Blanchard, Alma	120 inches.	June 1, 1890.	Fall River.
~~21 0029~~	Blanchard, Alma	120 inches.	June 1, 1892.	Fall River.
~~22 0175~~	Blanchard, John	40 inches.	June 1, 1889.	Warm Creek.
~~22 0176~~	Blanchard, John	120 inches.	Apr. 1, 1890.	Trial Creek. <i>from #160</i>
~~22 0177~~	Blattner, Rudolph	160 inches.	June 1, 1894.	Darby Creek.
~~21 0030~~	Bond, Harry A.	320 inches.	Sept. 15, 1898.	Willow Creek.
~~21 0031~~	Bond, Mary A.	320 inches.	Aug. 23, 1899.	Cottonwood Creek.
	Bonner, Arthur			(See Charles H. Woodmansee)
~~21-0148~~	Boom Creek Canal Company	5,000 inches.	Sept. 15, 1901.	Boom Creek.
~~22 0178~~	Borrcman, John	60 inches.	June 1, 1887.	Wood Creek and Springs.
~~22 0179~~	Borrcman, John	80 inches.	June 1, 1899.	Wood Creek and Springs
~~22 0180~~	Bowles, H. C.	140 inches.	June 1, 1889.	Spring Creek.
~~22 0181~~	Bowles, Sarah	100 inches.	June 1, 1891.	Spring Creek.
~~22 0182~~	Bowles, William	160 inches.	June 1, 1897.	Trial Creek.
~~23-0076~~	Breeding, Thomas C.	90 inches.	June 2, 1902.	Rainey Creek.
~~22 0183~~	Breckenridge, David	260 inches.	June 1, 1887.	North Lough Creek. Also Swamp Creek for late right.
1 028	Brennan, D. J., and Evan Williams	320 inches.	Feb. 21, 1890.	Snake River. (Smith & Maxwell ditch.)
	Briggs, B. J.			The Farmers' Friend Canal Company.
	Brodhead, Jabus			Watson Slough Irrigation Company.
	Brown, Albert W. and Edward			The Farmers' Friend Canal Company, and Enterprise Canal Company.
	Brown, Edwin H.	~~120/140/160/180/200/220/240/260/280/300/320/340/360/380/400/420/440/460/480/500/520/540/560/580/600/620/640/660/680/700/720/740/760/780/800/820/840/860/880/900/920/940/960/980/1000~~		Enterprise Canal Company.
	Brown, F. L.			Enterprise Canal Company.
~~21 0032~~	Brown, Hyrum	120 inches.	June 1, 1888	Fall River.
~~21 0033~~	Brown, J. J.	240 inches.	June 1, 1891.	Fall River.
~~22 0184~~	Bruce, Daniel C.	160 inches.	June 1, 1898.	Teton Creek.

Blackfoot Irrigation Company, (Continued.)

Whitten, Alpheus
(continued,)

Wicks, Charles J.

S., R. 36 E. B. M., containing 1480 acres.
 $S\frac{1}{2}$ of $SW\frac{1}{2}$ of Sec. 28, $N\frac{1}{2}$ of $NW\frac{1}{2}$ of
 Sec. 33, T. 2 S. R., 36 E., B. M., contain-
 ing 160 acres.

Winkleman, F. El

$S\frac{1}{2}$ of $SW\frac{1}{2}$, $NE\frac{1}{2}$ of $SW\frac{1}{2}$, $SE\frac{1}{2}$ of $NW\frac{1}{2}$, Sec.
 22, T. 2 S., R 36 E., B. M., $N\frac{1}{2}$ of $NW\frac{1}{2}$
 of Sec. 27, T. 2 S., R. 36 E., B. M.,
 containing 240 acres.

Younie, Alexander

$S\frac{1}{2}$ of $NE\frac{1}{2}$ of Sec. 4, $E\frac{1}{2}$ of $SW\frac{1}{2}$ and
 $N\frac{1}{2}$ of $SE\frac{1}{2}$ of Sec. 4 T. 3 S., R. 35 E.,
 B. M., containing 240 acres.

Zeigler, Lydia

$W\frac{1}{2}$ of $SE\frac{1}{2}$ and Lot 6 of Sec. 7, T. 2 S., R.
 36 E., B. M., containing 116 acres.

Blair Ed F.

$E\frac{1}{2}$ of $SW\frac{1}{2}$ of Sec. 12, and $E\frac{1}{2}$ of $NW\frac{1}{2}$ of
 Sec. 13, T. 3 N. R., 45 E. B. M.

Blair, J. J.

$E\frac{1}{2}$ of $NW\frac{1}{2}$ and Lots 1 and 2 of Sec. 30, T.
 6 N. R., 45 E., B. M., containing 120 acres.

Blamires, Robert

$S\frac{1}{2}$ of Sec. 8, $N\frac{1}{2}$ of Sec. 17, T. 6 R. R.,
 45 E., B. M., (owned jointly with W. S. and
 C. Burton and Thomas H. Phillips.)

Blanchard, Alma

$NW\frac{1}{2}$ of $SW\frac{1}{2}$ and $E\frac{1}{2}$ of $NW\frac{1}{2}$ of Sec. 24
 $SW\frac{1}{2}$ of Sec. 13, T. 8 N., R. 41 E., B. M.
 containing 160 acres.

Blanchard, John

$N\frac{1}{2}$ of $SE\frac{1}{2}$, $NE\frac{1}{2}$ of $SW\frac{1}{2}$ and $SE\frac{1}{2}$ of
 $NW\frac{1}{2}$ of Sec. 16, T. 3 N. R., 45 E., B. M.

Blattner, Rudolph

$SE\frac{1}{2}$ of Sec. 1, T. 4 N. R. 45 E. B. M.,
 containing 160 acres.

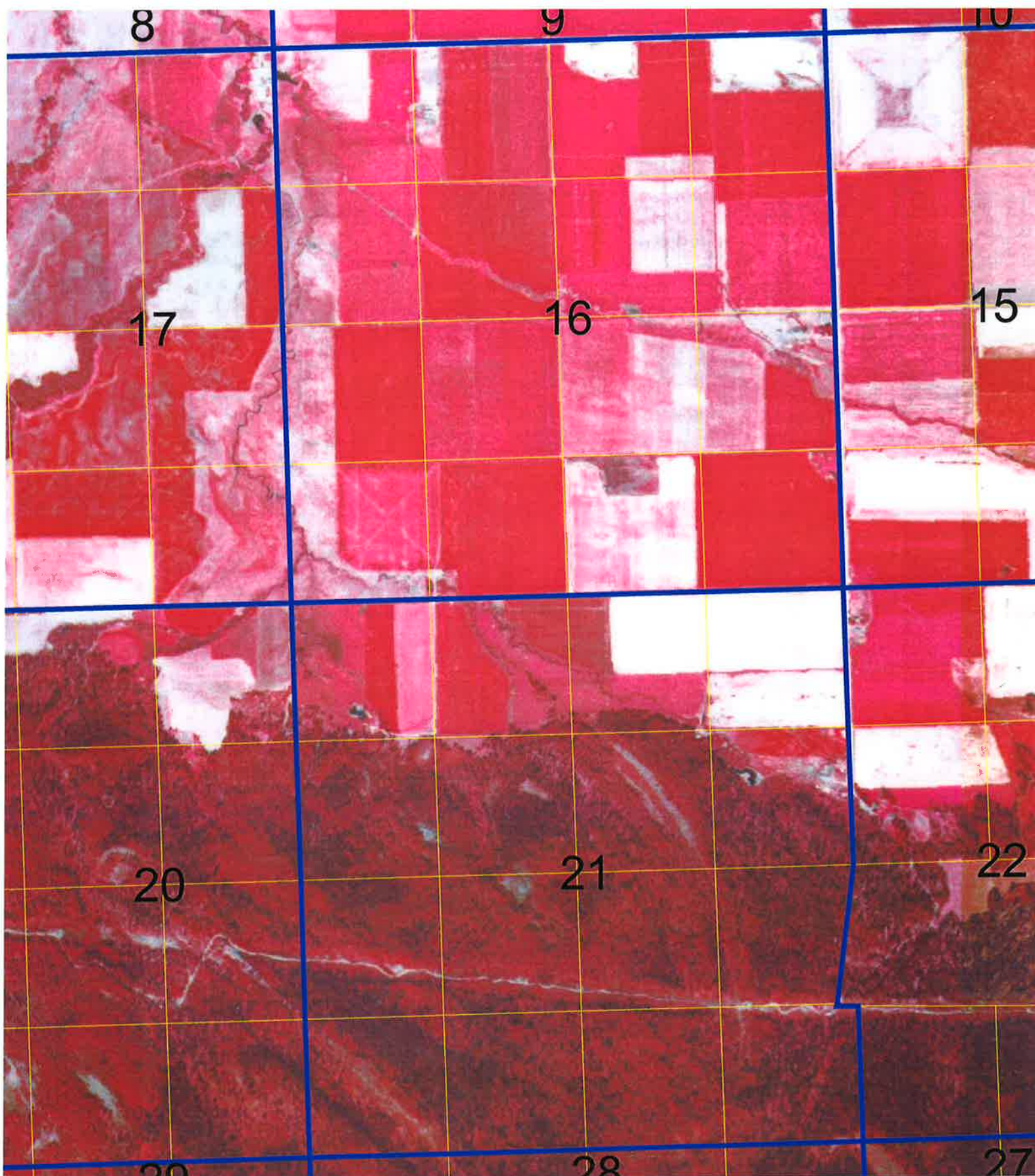
Blom, Jacob

$E\frac{1}{2}$ of $NE\frac{1}{2}$ of Sec. 16, T. 2 N. R. 38 E.
 B. M., containing 80 acres.

Bond, Harry A.

$N\frac{1}{2}$ of Sec. 9, T. 13 N. R., 41 E., B. M.,
 containing 320 acres, and Sec. 26, T. 13 N., R. 41 E., B. M.,

22-602A
3N 45E□



50	8,000
50	300
50	25
50	25
2	260
2	60
2	80
2	30
5	290
9	1,325
18	168
18	200
19	160
56	80
56	160
57	120
57	280
58	112
62	140
63	80
67	150
67	40
67	140
67	10
67	160
67	150
67	40
67	20
67	20
67	160
69	160
71	95
74	55
74	80
76	620
78	3,000
78	500
82	80
82	115
82	2,335
82	87

82	160
82	160
82	120
82	80
82	15
85	60
85	80
85	110
85	240
85	150
85	160
85	140
85	135
85	240
85	160
85	200
85	85
85	80
85	120
85	15
85	145
85	100
85	240
85	155
85	160
85	150
88	135
90	160
92	160
96	100
98	2,600
98	20
98	100
98	200
98	120
98	150
98	120
98	160
98	160
98	100
98	64
98	4
100	30

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: E004987

TRAIL CREEK SPRINKLER IRR CO.
P.O. BOX 131
VICTOR, ID 83455

Date: 12/06/88
Time: 11:56:01

Received

From: TRAIL CREEK SPRINKLER CO

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$1,645.40
Total		\$1,645.40

AR/ND E000021 Total Claim Fee \$8,227.00 Current Bal. \$6,581.60
CHECK 1640

WR/ND: A22-00223	A22-00559	A22-00355	A22-00176	A22-00561
A22-00356	A22-00257	A22-00560	A22-00241	A22-00521
A22-00357	A22-00584	A22-00413	A22-00460	A22-00024
A22-00090	A22-00602A	A22-00524		

Idaho Department of Water Resources

Region: EASTERN

Signature: *Ernest Carlson*

21 Nov 89

Number changed from A22-00602

MICROFILMED

OCT 28 1992

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 22-13553
Date Received: 12/6/1988
Receipt No:
Received By:

Renumbered from 22-602A

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

1. Name of Claimant(s)

TRAIL CREEK SPRINKLER IRRIGATION CO Phone: (208)787-2776
PO BOX 131
VICTOR ID USA 83455

2. Date of Priority: 09/01/1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	45E	16	SE NE SE	TETON	

5. Description of diverting works:

CONCRETE STRUCTURE WITH PUMP, PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.4	

7. Total Quantity Appropriated is:
2.4 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
03N	45E	16	NE SW	IRRIGATION	39
			NW SW	IRRIGATION	38
			SW SW	IRRIGATION	20
			SE SW	IRRIGATION	38

			NE	SE	IRRIGATION	32
			NW	SE	IRRIGATION	39
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	37
					Section Acres	282
03N	45E	21	NE	NE	IRRIGATION	39
			NW	NE	IRRIGATION	30
			SE	NE	IRRIGATION	10
			NE	NW	IRRIGATION	28
			NW	NW	IRRIGATION	24
					Section Acres	131
					Total Acres	413

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

OTHER WATER RIGHTS INCLUDE THOSE DIVERTED FROM TRAIL CREEK AND MOOSE CREEK.
WARM CREEK RIGHTS INCLUDE 22-00524 AND 22-00090.

THIS CLAIM IS A COMBINATION OF RIGHTS 22-00175 AND 22-00602.

THERE IS STOCK WATER USE ASSOCIATED WITH THIS IRRIGATION RIGHT THOUGH IT IS NOT
DEFINED. FOR SPECIFICS CONCERNING THE STOCK WATER RIGHT, SEE NOTICE OF CLAIM A22-
00223

This right was renumbered to right 22-13553 .

This right is renumbered from former right 22-602A.

15. Basis of Claim: Decreed

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: A22-00602
Date Received: 11/15/1988
Receipt No: E004987
Received By: ENC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TRAIL CREEK SPRINKLER IRRIGATION CO. 208-787-2776
Address: P.O. BOX 131
VICTOR, ID 83455

2. Date of Priority: SEP 01, 1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	45E	16	SE	NE	SE		TETON

5. Description of diverting works:
CONCRETE STRUCTURE WITH PUMP, PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 826.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	45E	16	NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	20.0
			SE	SW		IRR	38.0

A22-00602

Page 1

Date: 01/30/89

MICROFILMED

OCT 28 1982

RECEIVED

FEB - 8 1989

Department of Water Resources
Eastern District Office

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	16	NE	SE		IRR	32.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0
			SE	SE		IRR	37.0
						Section Acres	282.0
		21	NE	NE		IRR	39.0
			NW	NE		IRR	30.0
			SE	NE		IRR	10.0
			NE	NW		IRR	28.0
			NW	NW		IRR	24.0
						Section Acres	131.0
						Total Acres	413.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:
OTHER WATER RIGHTS INCLUDE THOSE DIVERTED FROM TRAIL CREEK AND MOOSE CREEK. WARM CREEK RIGHTS INCLUDE 22-00524 AND 22-00090. THIS CLAIM IS A COMBINATION OF RIGHTS 22-00175 AND 22-00602. THERE IS STOCK WATER USE ASSOCIATED WITH THIS IRRIGATION RIGHT THOUGH IT IS NOT DEFINED. FOR SPECIFICS CONCERNING THE STOCK WATER RIGHT, SEE NOTICE OF CLAIM A22-00223

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am President of
Title
Trail Creek Sprinkler Irrigation Comp. that I have signed the foregoing
Organization
document in the space below as President of
Title
Trail Creek Sprinkler Irrigation Comp. and that the statements contained in the
Organization
foregoing document are true and correct.
John Winger
Signature of Authorized Agent
President of Trail Creek Sprinkler Irrigation Comp.
Title and Organization
Feb 7, 1989
Date

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of February 19 89

Donald W. Woodstein
Notary Public

Seal

Residing at Victor Idaho
My Commission Expires May 1992

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: A22-00602
Date Received: 11/15/1988
Receipt No: 6004987
Received By: 6004987

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRAIL CREEK SPRINKLER IRRIGATION CO. 208-787-2776
Address: P.O. BOX 131
VICTOR, ID 83455

2. Date of Priority: SEP 01, 1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	45E	16	SE	NE	SE		TETON

5. Description of diverting works:
CONCRETE STRUCTURE WITH PUMP, PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	~~04/15~~	~~10/15~~	2.400		

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 826.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	16	NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	20.0
			SE	SW		IRR	38.0

A22-00602

Page

1

Date: 11/15/88

MICROFILMED

OCT 28 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	45E	16	NE		SE		IRR	32.0
			NW		SE		IRR	39.0
			SW		SE		IRR	39.0
			SE		SE		IRR	37.0
			Section Acres					
		21	NE		NE		IRR	39.0
			NW		NE		IRR	30.0
			SE		NE		IRR	10.0
			NE		NW		IRR	28.0
			NW		NW		IRR	24.0
Section Acres							131.0	
Total Acres							413.0	

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:
OTHER WATER RIGHTS INCLUDE THOSE DIVERTED FROM TRAIL CREEK AND
MOOSE CREEK. WARM CREEK RIGHTS INCLUDE 22-00524 AND 22-00090.
THIS CLAIM IS A COMBINATION OF RIGHTS 22-00175 AND 22-00602.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/~~we~~ acknowledge that I/~~we~~ have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/~~we~~ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am President of

TRAIL CREEK SPRINKLER IRRIG CO, that I have signed the foregoing
Organization

document in the space below as President of
Title

TRAIL CREEK SPRINKLER IRRIG CO, and that the statements contained in the
Organization

foregoing document are true and correct.

John W. Wines
Signature of Authorized Agent

President - TRAIL CREEK SPRINKLER CO.
Title and Organization

Dec. 5, 1988
Date

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of December 19 88

Arnold W. West
Notary Public

Seal

Residing at Victor, Idaho

My Commission Expires 5/25, 92

