

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13636

NAME AND ADDRESS:

CAROL G HENRIE
PO BOX 136
DRIGGS ID 83422

GARY L HENRIE
PO BOX 136
DRIGGS ID 83422

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY: 0.470 CFS

~~0.450 CFS~~

PRIORITY DATE: 04/15/1938

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

T05N R45E S36 SENENW
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

0.470 CFS

~~0.450 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T05N R45E S34 SWSE 19.0

T05N R45E S35 NESW 3.5

22.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season. Combined Right Nos.: 22-77, 22-79B, and 22-13636.

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 - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.



Idaho Department of Water Resources

SRBA Recommendation:

22-13636

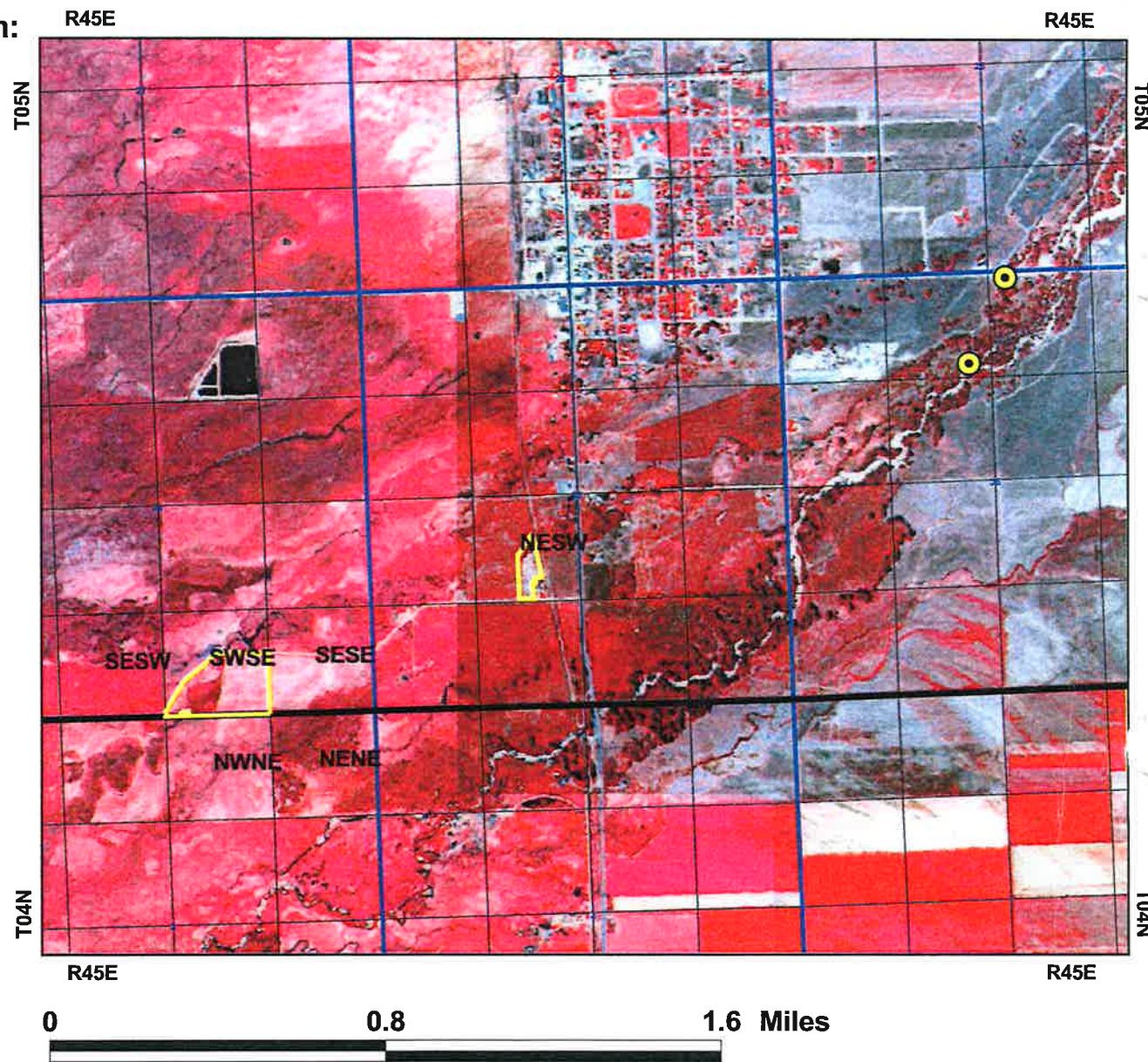
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by K. Moore
On Monday, December 18, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

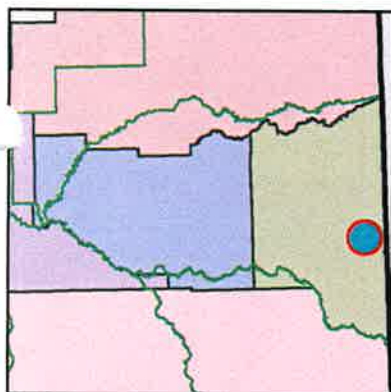
22-13636

(Irrigation)

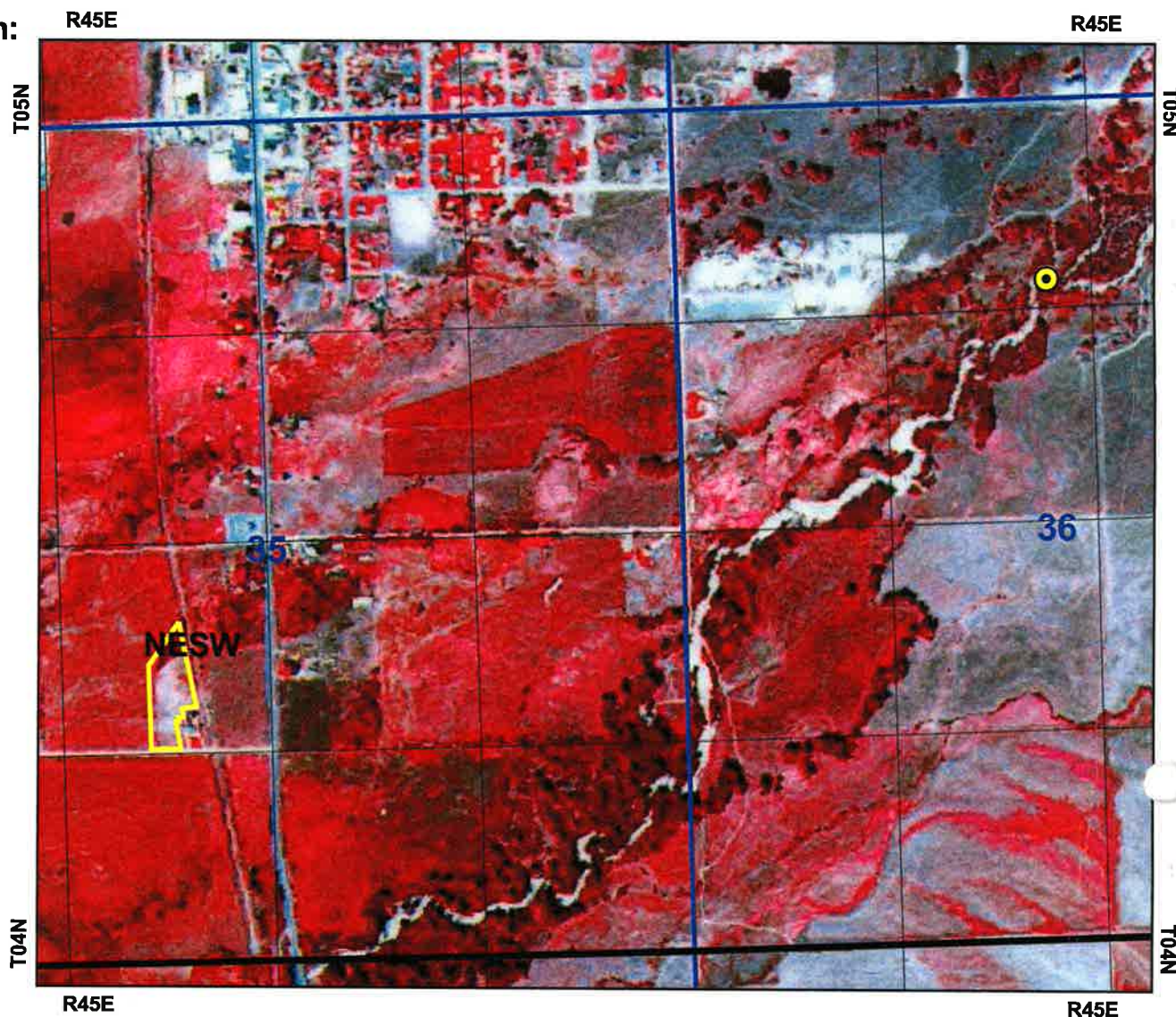
ANNEX
02/2007

Legend

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



Teton County
IDWR Basin 22



0 0.4 0.8 Miles

Prepared by A. Golart
On Wednesday, December 13, 2006
1987/88 Aerial Photography

MEMORANDUM to FILE

Date: June 25, 2008
To: Claim 22-13636
From: Joseph Larsen
Re: Objection Resolution

Gary Henrie agrees with the Department that his objection was filed because of a misunderstanding on his part. His concern is that his old "Roxanna" water had not been recommended to his property. I explained to him that he has three water rights: the other two are 22-79B with a priority of 1902 and 22-77 with a priority of 1897 (his "Roxana" water). These two are Unobjected to at the time of this memo. I also explained that both pieces of his property had two of the three rights covering it. The property behind his house is covered by 22-79B and 22-13636 and his property down the road is covered by 22-77 and 22-13636 (map attached). After visiting with him he agreed to proceed with an SF5.



Gary Henrie



Legend

-  22-79B
 22-77
 22-13636

CREATED BY

JUN 25 2008

J LARSEN

CLAIM # 22-13636

DATE	TIME	INITIALS	REMARKS
19 Jun 08	11:14A	JSL	TALKED TO MRS. HENRIK ABOUT RESOLVING GARY'S OBJECTION - SHE SAID SHE'D HAVE HIM CALL WHEN HE RETURNED THIS AFTERNOON
20 Jun 08	8:46A	JSL	GARY CALL AND SET Appt TO MEET @ 10:30 IN DRIGGS FOR A LOOK @ THE SYSTEM.
23 Jun 08	10:39A	JSL	RESCHEDULED FOR 24 Jun 08 @ 10:30A IN DRIGGS

12/11/06

Dear Sirs:

I have been asked to write my recollections of water delivery out of Teton Creek for land that has been irrigated from springs and is located southwest of Driggs.

Early each spring water was delivered from Teton Creek through ditches to ground east and west of State highway 33 for flood irrigation. Once this water was used it would take 7-10 days for the springs just south and southwest of Driggs to come in. This land is currently owned by Prices, Westons, Henries, and others.

If this water isn't diverted from Teton Creek and used in this area, the springs and sub-water won't come in. That has been my experience during the time I was watermaster (1978-2000).

Sincerely,
Lee O'Brien

SCANNED

JUL 02 2007

AFFIDAVIT

State of Idaho

County of Teton

I am currently 88 years of age, born in the year of 1918, and lived in Teton County Idaho for 88 Years. I am personally aware of water being diverted from Teton Creek for the use of flood irrigation of crops and land in Section 25, Range 45E, Tship 5N and in Section 36, Range 45E and Tship 5N. Both diversions have been improved and maintained. The associated ditches used are still in existence and have been improved and maintained on a yearly basis. The location of use is in Section 35, Range 45E, Tship 5N.

To the best of my ability I can remember water being diverted from these two points in June of 1948 for the use of irrigation and spring sub-water.

Geo. Jensen

[signature of affiant]

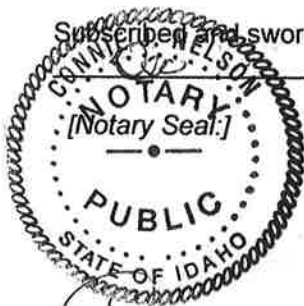
GEORGE JENSEN

[typed name of affiant]

P.O. Box 223 DRIGGS, IDAHO 83422

[address of affiant]

Subscribed and sworn to before me, this 16 [day of month] day of _____ [month], 2006.



Connie J. Nelson

[signature of Notary]

Connie J. Nelson

[typed name of Notary]

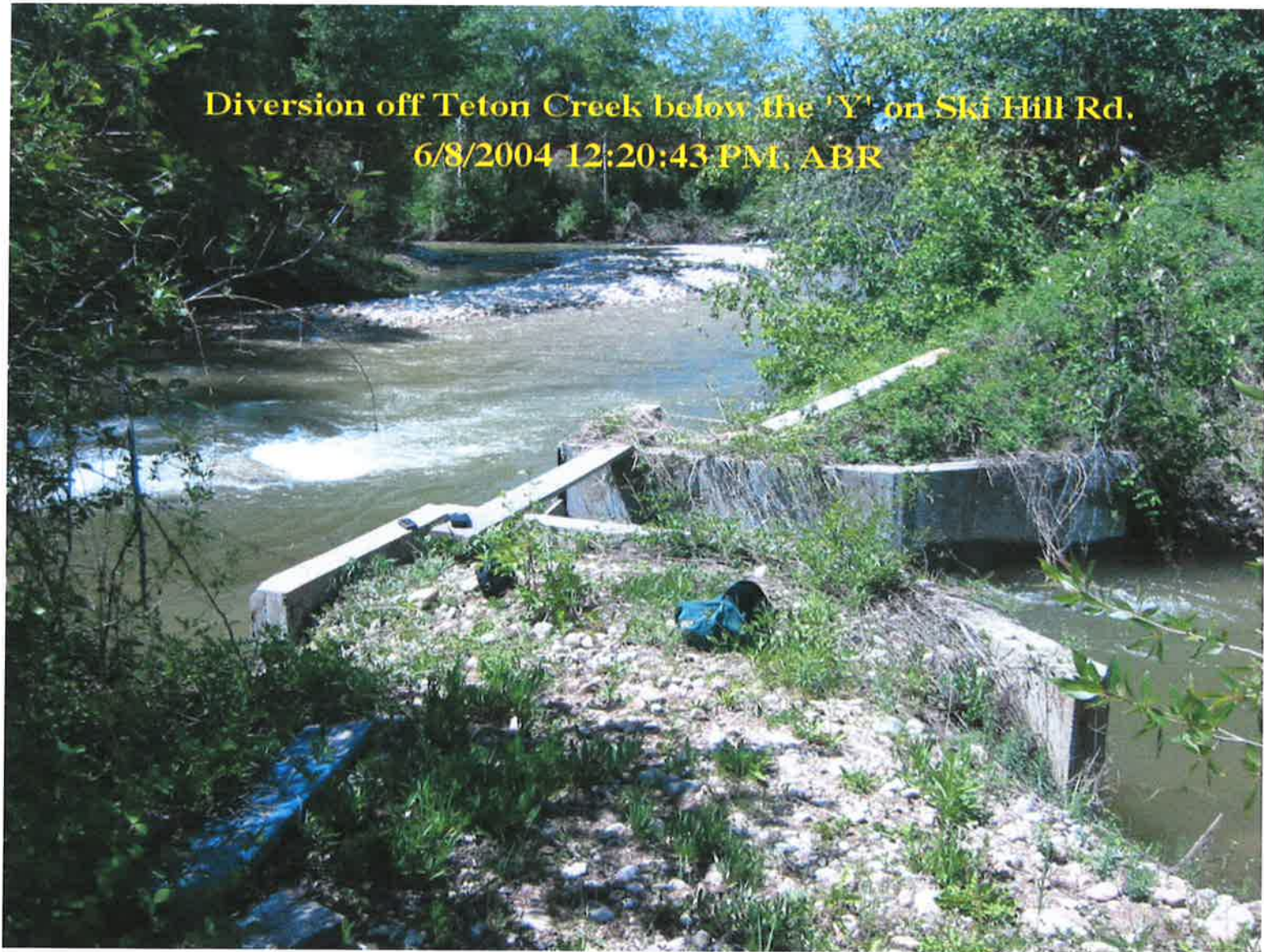
NOTARY PUBLIC

My commission expires: 1.20, 2010.

SCANNED

JUL 02 2007

Diversion off Teton Creek below the 'Y' on Ski Hill Rd.
6/8/2004 12:20:43 PM, ABR



JUL 02 2007

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 22-13636
Date Received: 12/7/2006
Receipt No:
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

GARY L HENRIE Phone: (208)354-2934
PO BOX 136
DRIGGS ID USA 83422

CAROL G HENRIE Phone: (208)354-2934
PO BOX 136
DRIGGS ID USA 83422

2. Date of Priority: 04/15/1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	45E	25	SE SW SW	TETON	
05N	45E	36	NE NW	TETON	

5. Description of diverting works:

GATED DIVERSION, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.47	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

AUG 22 2007

SCANNED

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	45E	34	SW	SE	IRRIGATION	20
					Section Acres	20
05N	45E	35	SW	NE	IRRIGATION	3.5
					Section Acres	3.5
					Total Acres	23.5

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:
22-77 AND 22-79B

14. Remarks:

15. Basis of Claim: Beneficial Use

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: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 12/18/2006
Date: _____

State of Idaho

County of Bonneville County) SS.

Subscribed and sworn (or affirmed) before me this 18 of December 2006

[Signature]

Notary Public

Residing at Bonneville County

My commission Expires 6/12/12



SCANNED

SCANNED AUG 22 2007

JUL 02 2007

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 22-13636
Date Received: 12/7/2006
Receipt No: E032456
Received By: CEB

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

1. Name of Claimant(s)

GARY L HENRIE Phone: (208)354-2934

PO BOX 136
DRIGGS ID USA 83422

CAROL G HENRIE Phone: (208)354-2934

PO BOX 136
DRIGGS ID USA 83422

2. Date of Priority: 04/15/1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	45E	25	SE SW SW	TETON	
05N	45E	36	NE NW	TETON	

5. Description of diverting works:

GATED DIVERSION, DITCHES

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15 10/31	0.7	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED

AUG 22 2007

SCANNED

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	45E	35	SW	NE	IRRIGATION	3.5
Section Acres						3.5
Total Acres						3.5

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:

15. Basis of Claim: Beneficial Use

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 ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: ~~ONE~~ TWO

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

[Signature]
Carol Denrie

Date: 12-16-06

Date: 12-16-06

State of Idaho

County of

Teton

SS.

Subscribed and sworn (or affirmed) before me this

of

Dec

2006

16 day

Connie J Nelson

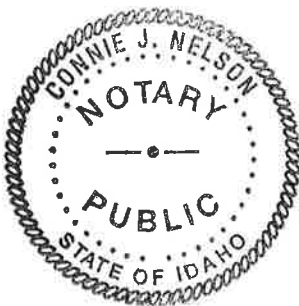
Notary Public

Residing at

Orepps ID 83422

My commission Expires

1-20-2010



SCANNED

AUG 22 2007

SCANNED

JUL 02 2007

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 22-13636Date Received 12/6/06Receipt Number E032456

CB

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) GARY L. & CAROL HENRIE Phone (208) 354-2934Mailing Address P.O. Box 136 Driggs Zip 834222. Date of Priority (Only one (1) per claim) April 15 19383. Source of water supply (a) TETON CREEK
which is tributary to (b) TETON RIVER4. a. Location of existing point of diversion is: Township T5N Range R4SE Section 25,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of TETONAdditional points of diversion if any: T5N R4SE NENW 336b. If instream flow, beginning point of claimed instream flow is: Ø

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.SEE FILE # A2200079H

SCANNED

#1. PICTURE OF DITCH BY "Y"

AUG 22 2007

#2. GATED DIVERSION TAG NO. A0613609 (PICTURE)

SCANNED

JUL 02 2007

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/31 amount .07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .07 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>SN</u>	<u>46E</u>	<u>35</u>			<u>3.5</u>														<u>3.5</u>

Total number of acres irrigated 3.5

11. In which county (ies) are lands listed above as place of use located? TETON

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

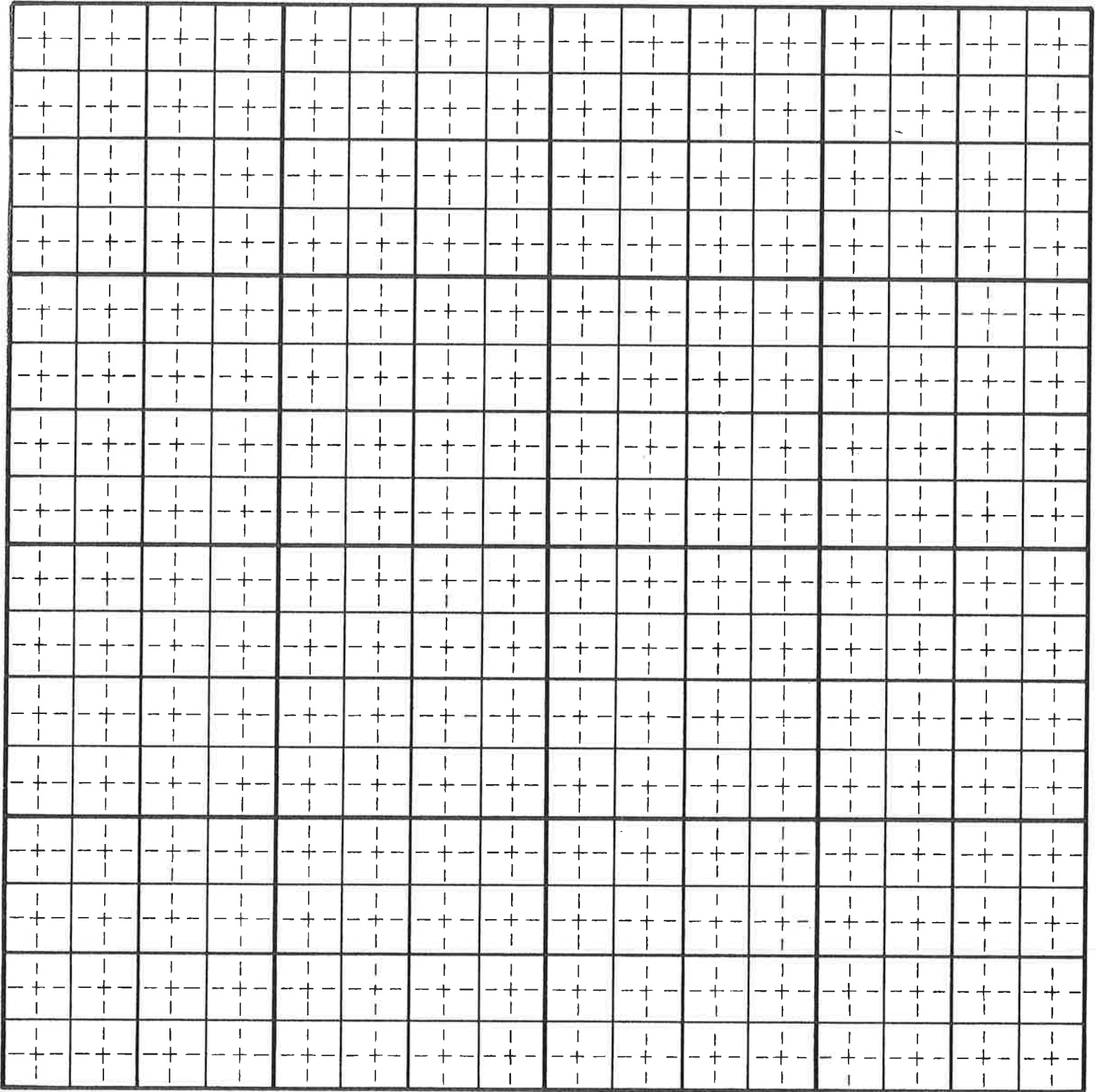
14. Remarks: 22-79B

Last Name HENRIE Ident No. _____
SCANNED
JUL 02 2007
Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE File A220007914



Last Name

HENRIE

Ident No.

SCANNED

JUL 02 2007

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X [Signature] Date 12/5/2006

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

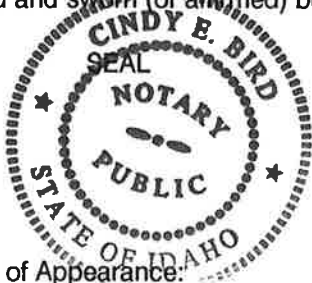
State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn to (or affirmed) before me this _____

5th

day of

December, 2006



Notary Public Cindy E. Bird

Residing at Lava Hot Springs

My Commission Expires May 1, 2007

Please Print Name

Cindy E. Bird

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name

HENRIE

Ident. Number _____

SCANNED

JUL 02 2007 Copies White-State, Yellow-Claimant