

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 21-105 V1

WATER RIGHT NUMBER: 21-105 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ESTATE OF T ROSS CLEMENT PO BOX 99 LEWISVILLE, ID 83431 (208)754-8186
Current Owner	LOUISE CLEMENT PO BOX 99 LEWISVILLE, ID 83431 (208)754-8186
Current Owner	GALE W & ELLEN C CLEMENT FAMILY LTD PARTNERSHIP PO BOX 99 LEWISVILLE, ID 83431 (208)754-8186
Original Owner	CLEMENT ENTERPRISESS PO BOX 99 LEWISVILLE, ID 83431 (208)754-4611

Priority Date: 10/15/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TOMS CREEK	BUFFALO RIVER
WALL SPRING	TOMS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	19.800 CFS	
STOCKWATER	05/01 to 10/15	0.140 CFS	
	Total Diversion:	19.800 CFS	

Location of Point(s) of Diversion

WALL SPRING FREMONT County	NE1/4NE1/4NW1/4	Sec. 31, Twp 13N, Rge 44E, B.M.
WALL SPRING FREMONT County	SE1/4NW1/4SE1/4	Sec. 25, Twp 13N, Rge 43E, B.M.
TOMS CREEK FREMONT County	SE1/4NW1/4NE1/4	Sec. 35, Twp 13N, Rge 43E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	43E	25					.1	27.0	40.0	.7	22.0	40.0	40.0	34.0					203.8
							1.5												

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13N 43E 26	35.0	33.0	40.0	40.0	18.0	.3	14.0	39.0	32.0	9.6	11.0	9.4	40.0	40.0	13.0	38.0	412.3
					L 1	L 1											

Total Acres: 624.3

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	43E	25						X	X		X	X	X	X					
13N	43E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

Conditions of Approval:

1. C18 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.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:Water Supply Bank:

09/02/2005

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

RIGHT NUMBER: 21-105

NAME AND ADDRESS: CLEMENT ENTERPRISES
PO BOX 99
LEWISVILLE ID 83431

SOURCE: TOMS CREEK
WALL SPRING

TRIBUTARY: BUFFALO RIVER
TRIBUTARY: TOMS CREEK

QUANTITY: 19.800 CFS

PRIORITY DATE: 10/15/1900

POINT OF DIVERSION:

T13N R43E S25 SENWSE Within FREMONT County
T13N R43E S35 SENWNE Within FREMONT County
T13N R44E S31 NENENW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/15	19.800 CFS
STOCKWATER	05/01 10/15	0.140 CFS

PLACE OF USE:

IRRIGATION Within FREMONT County

T13N R43E S25	NENW	0.1	T13N R43E S25	NWNW	27.0
T13N R43E S25	SWNW	40.0	T13N R43E S25 Lot 1	SENW	8.2
T13N R43E S25 Lot 5	SENW	0.7	T13N R43E S25	NESW	22.0
T13N R43E S25	NWSW	40.0	T13N R43E S25	SWSW	40.0
T13N R43E S25	SESW	34.0	T13N R43E S26	NENE	35.0
T13N R43E S26	NWNE	33.0	T13N R43E S26	SWNE	40.0
T13N R43E S26	SENE	40.0	T13N R43E S26 Lot 1	NENW	18.0
T13N R43E S26 Lot 1	NWNW	0.3	T13N R43E S26	SWNW	14.0
T13N R43E S26	SENW	39.0	T13N R43E S26	NESW	32.0
T13N R43E S26	NWSW	9.6	T13N R43E S26	SWSW	11.0
T13N R43E S26	SESW	9.4	T13N R43E S26	NESE	40.0
T13N R43E S26	NWSE	40.0	T13N R43E S26	SWSE	13.0
T13N R43E S26	SESE	38.0			

STOCKWATER Within FREMONT County

T13N R43E S25	NWNW	T13N R43E S25	SWNW
T13N R43E S25	NESW	T13N R43E S25	NWSW
T13N R43E S25	SWSW	T13N R43E S25	SESW
T13N R43E S26	NENE	T13N R43E S26	NWNE
T13N R43E S26	SWNE	T13N R43E S26	SENE
T13N R43E S26	NENW	T13N R43E S26	NWNW
T13N R43E S26	SWNW	T13N R43E S26	SENW
T13N R43E S26	NESW	T13N R43E S26	NWSW
T13N R43E S26	SWSW	T13N R43E S26	SESW
T13N R43E S26	NESE	T13N R43E S26	NWSE
T13N R43E S26	SWSE	T13N R43E S26	SESE

09/02/2005

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

624.3 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

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