

06/28/2006

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

RIGHT NUMBER: 22-239B

NAME AND ADDRESS: WILLIAM E HANSEN
PO BOX 1849
JACKSON WY 83001

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.300 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T06N R46E S32 NENWNE Lot 1 Within TETON County

The point of diversion for this water right is in Wyoming, T 44 North R 118
West Sec 6 SENE, Lt 2 6PM.

The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.300 CFS

PLACE OF USE:

IRRIGATION Within TETON County

T06N R45E S35

NENE

21.00

T06N R45E S35

NWNE

8.20

29.2 ACRES TOTAL

29.2

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-239B 22-576D

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is also recorded as Wyoming Certificated Water Right No.
_____.

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.

This water right is subject to the delivery provisions contained in Roxana
Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana
decree"). Nothing in this Partial Decree is intended to relieve or alter the
state of Idaho nor the state of Wyoming from their obligations contained in
the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Killpack Ditch

01/27/2006

**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: 22-239B

WILLIAM E HANSEN

PO BOX 1849

JACKSON WY 83001

Telephone Number: (307)733-2308

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: 12/05/06 SIGNATURE: William E Hansen

Please print your name: WILLIAM E HANSEN

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

KMO
12/11



State of Idaho Department of Water Resources Eastern Regeion



**Claim No(s):
22-239B
22-576D**

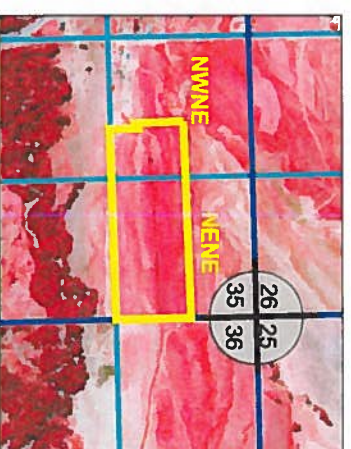
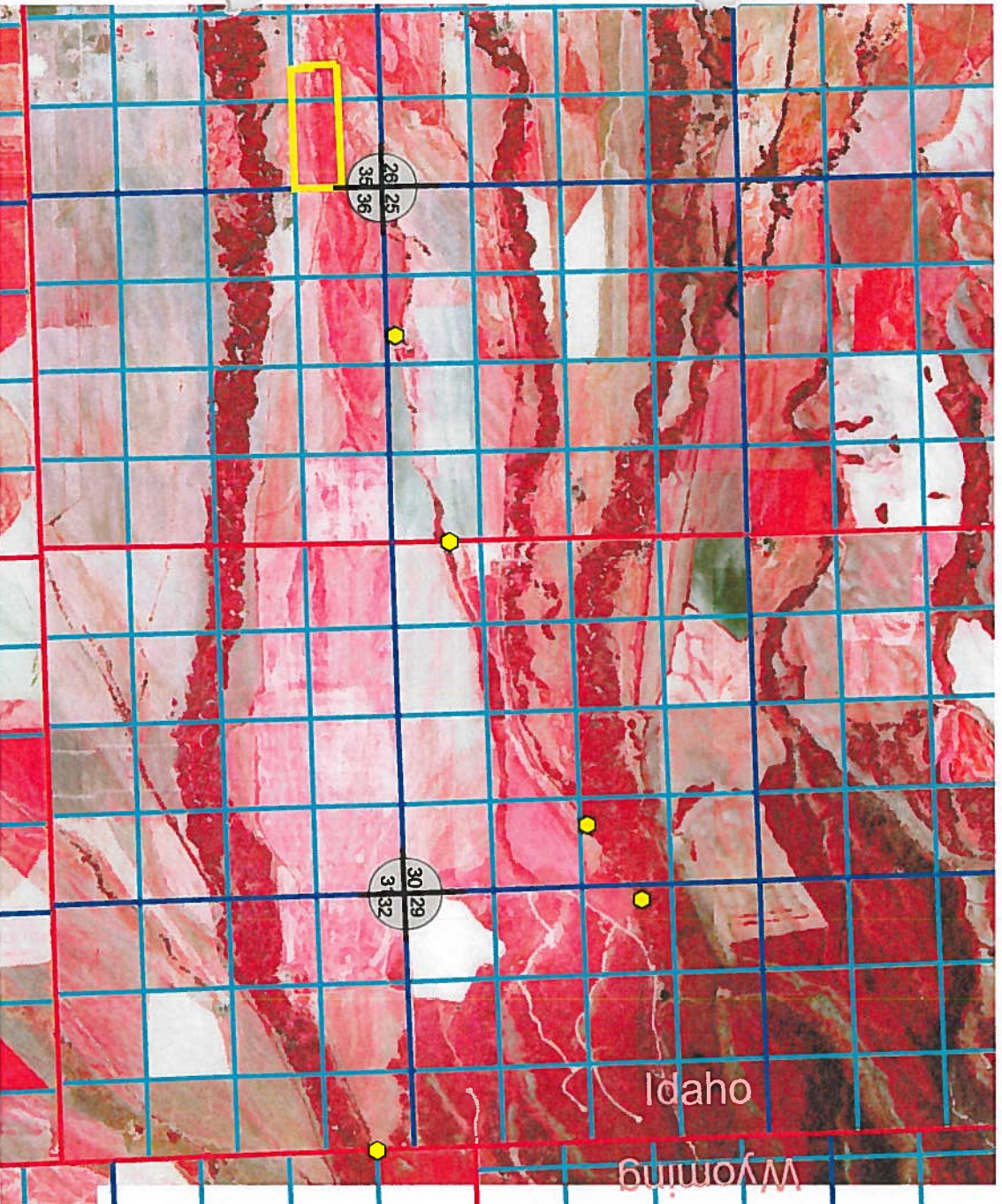
**Points Of Diversion**

**Place of Use**

**Township/Range**

**Sections**

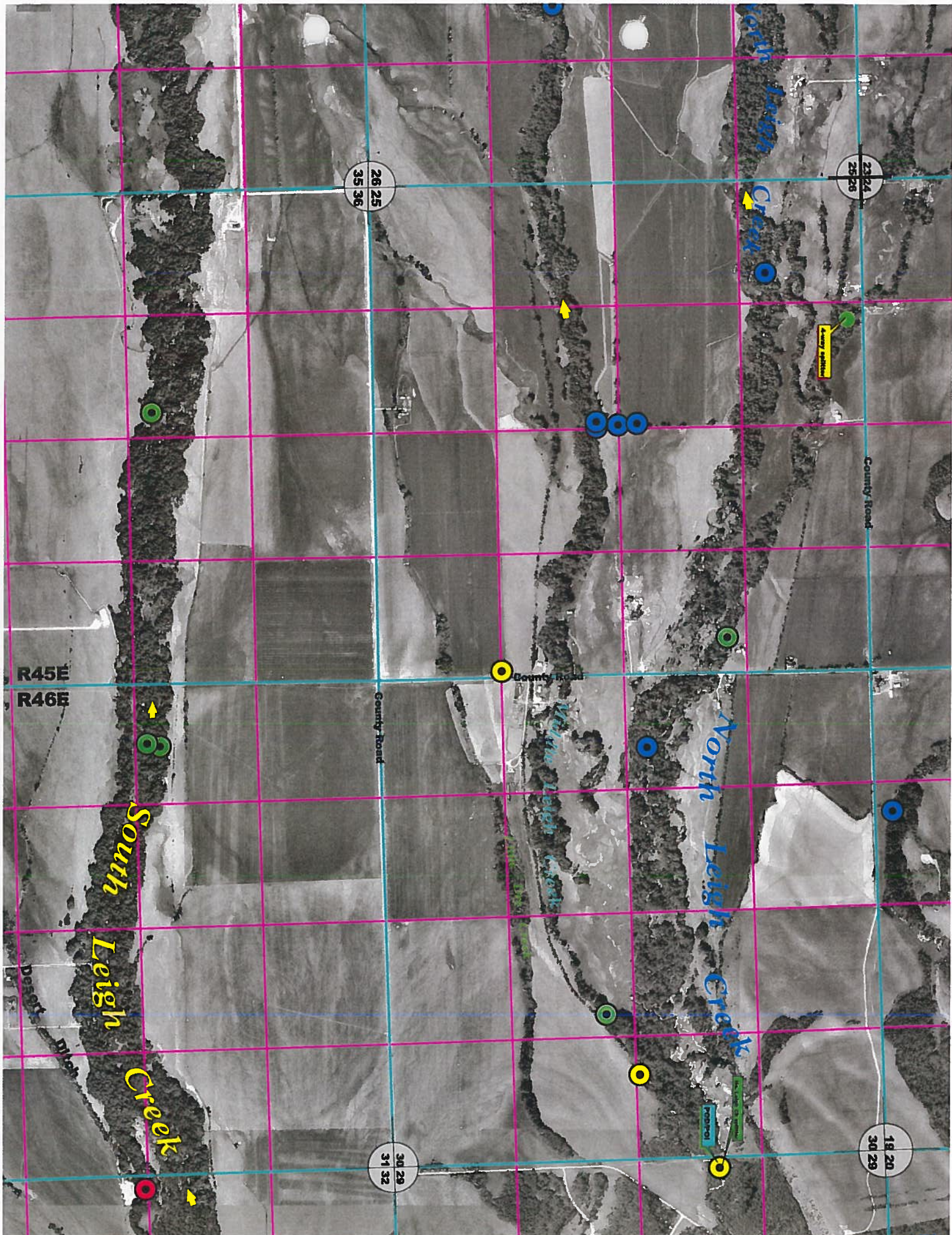
**Quarter Quarter**



0.8 0 0.8 1.6 Miles

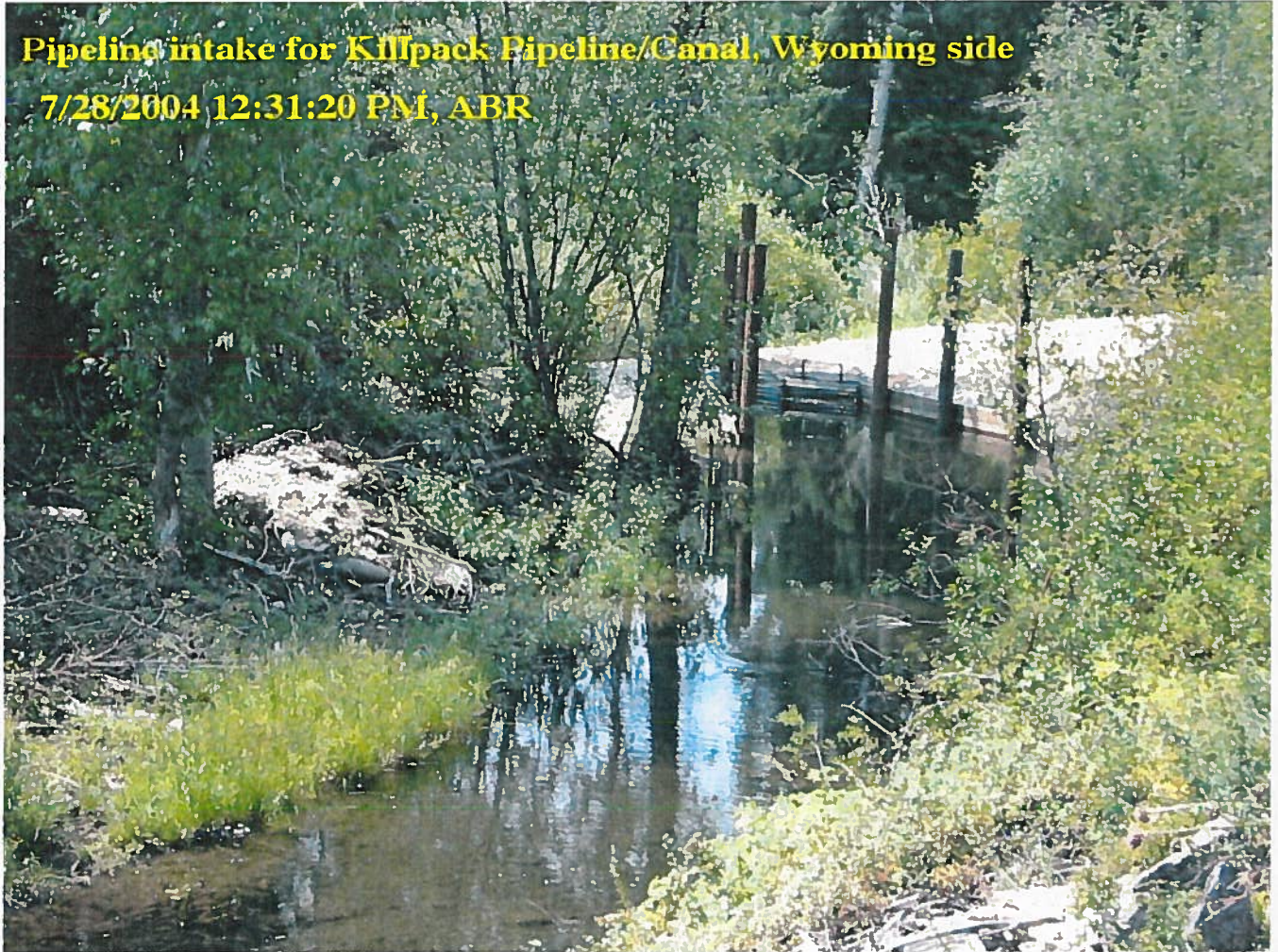


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Jan. 2006



Pipeline intake for Killpack Pipeline/Canal, Wyoming side

7/28/2004 12:31:20 PM, ABR





Killpack headgate - Wyoming diversion
Boyd Smith and others use this headgate.



THE STATE OF WYOMING

DAVE FREUDENTHAL
GOVERNOR

PATRICK T. TYRRELL
STATE ENGINEER

HARRY C. LABONDE, JR.
DEPUTY STATE ENGINEER

Board of Control

4E, HERSCHLER BUILDING
CHEYENNE, WYOMING 82002

TELEPHONE NO. (307) 777-6178
FAX NO. (307) 777-5451

February 13, 2004

ALLAN CUNNINGHAM
ADJUDICATION OFFICER

RANDY TULLIS, SUPERINTENDENT
WATER DIVISION NO. 1
MICHAEL WHITAKER, SUPERINTENDENT
WATER DIVISION NO. 2
LOREN SMITH, SUPERINTENDENT
WATER DIVISION NO. 3
JADE HENDERSON, SUPERINTENDENT
WATER DIVISION NO. 4

Mr. Arnold W. Woolstenhulme, P.E. and L.S.
AW Engineering
P.O. Box 139
Victor, Idaho 83455

RE: Docket Nos. IV-2002-4-1
and IV-2003-3-2 through
IV-2003-3-6

Dear Mr. Woolstenhulme,

This letter is in regard to the Boyd Charles and Jill Johnson Smith Trust, the William E. Hansen, the Pex L. Hansen, the Margaret Hansen, the Lorenzo and Ardis Koford, and the James and Leona Beard Trust petitions for affirmation of point of diversion and means of conveyance in the matter of certain rights to the use of waters of South Leigh Creek for which the point of diversion, and a portion of the means of conveyance of the Kilpack Ditch, which are pending before the State Board of Control.

The State Board of Control discussed these petitions at its February meeting, and voted to grant these petitions. Orders confirming the Board's action will be issued in the near future.

If we can be of any further assistance, please let us know.

Yours truly,

ALLAN CUNNINGHAM
Adjudication Officer

RECEIVED

SEP 23 2004

Department of Water Resources
Eastern Region

/adc

Claim Number:

Current Owner: _____ 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: _____

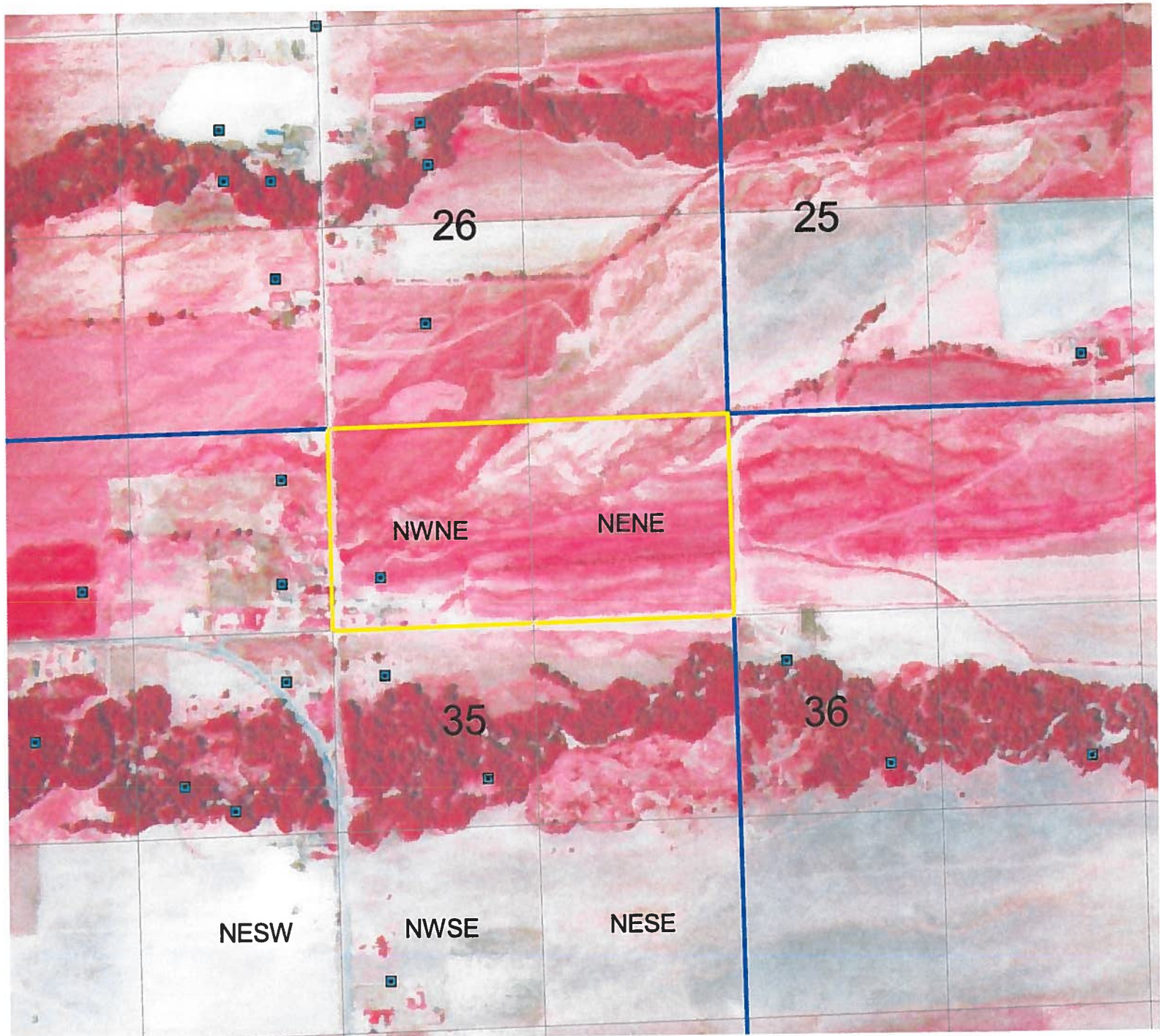
Discussion of right origin and split history. Questions and problems.

CLAIM REMARKS DISCUSSES POD AS HOGG CANAL. THE 'HOG' CANAL DIVERTS TO AREA SOUTH OF SO. LUTAH CK. THE KILLPACK CANAL DIVERTS AT (NEAR) POD CLAIMED AND SOUNDS NORTH OF SO. LUTAH CK.

SIDE TX #3235. - PROBLEMS WITH THIS:

Reviewer: _____ Date: _____

22-239B





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

May 19, 1999

KARL J. DREHER
DIRECTOR

REX L HANSEN
PO BOX 293
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00239, A22-00576A

Dear Mr. Hansen:

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:

A22-00239A, 0.40 cfs, 40 acres, Rex Hansen
A22-00239B, 0.30 cfs, 30 acres, William Hansen
A22-00239C, 0.10 cfs, 10 acres, Margaret Hansen

A22-00576C, 0.40 cfs, 40 acres, Rex Hansen
A22-00576D, 0.30 cfs, 30 acres, William Hansen
A22-00576E, 0.10 cfs, 10 acres, Margaret Hansen

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.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 19 1999

Department of Water Resources
Eastern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s):

Adjudication Claim No(s):

A22-00239, A22-00516A D

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former
Owner/ClaimantEdward O and Beatrice S Hansen

4. New Owner/Claimant(s)

William E Hansen

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

City, State and ZIP Code

Jackson WY 83001

New Telephone Number

307 733 2308

5. Date you acquired the property

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner
or Claimant(s)William E HansenDate 4/19/99

Date _____

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

Parcel 3
30AC
TO BE SPLIT PROPORTIONALLY - ASR

133570

RECEIVED

APR 09 1999

PERSONAL REPRESENTATIVE'S DEED

TETON CO., ID
CLERK REC'D

THIS INDENTURE, Made this 9th day of April, 1999, between William E.

Hansen, as Personal Representative of the Estates of Edward O. Hansen and Beatrice S. Hansen, both deceased, of P. O. Box EE, Jackson, Wyoming 83001 the party of the first part, and William E. Hansen, of P. O. Box EE, Jackson, Wyoming 83001, the party of the second part,

WITNESSETH, That the said party of the first part, as the duly appointed, qualified and acting Personal Representative of said estates, does by these presents grant, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all right, title, interest and estate of said decedent, at the time of said decedent Beatrice S. Hansen's death, and also, all the right, title and interest that the said estate, by operation of law or otherwise, may have acquired since the decedent's death in and to the following described real estate situated in Teton County, Idaho, to-wit:

A part of the North One-Half of the Northeast Quarter, Section 35, Township 6 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as:

From the Northeast corner of said Section 35, thence South 00°00'03" West, 607.25 feet along the eastern section line to the true point of beginning; thence South 00°00'03" West, 715.72 feet further along the Eastern section line to the Southeast corner of the North One-Half of the Northeast Quarter of said Section 35; thence South 89°49'48" West, 1826.34 feet along the South line of the North One-Half of the Northeast Quarter to a point; thence North 00°04'46" East, 715.73 feet to a point; thence North 89°49'48" East, 1825.36 feet to the point of beginning.

Subject to a 30 foot county road and utility easement along the southern property line.

Together with all water rights appurtenant thereto.

PERSONAL REPRESENTATIVE'S DEED - Page 1

HansenE1.PRD

133570

FILED

AT THE REQUEST OF

William E. Hansen

AT 20 MINUTES PAST 10 A.M.

DATE April 9, 1999

Nolan G. Boyle

CLERK OF RECORD

BY Nora Rigby DEPUTY

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

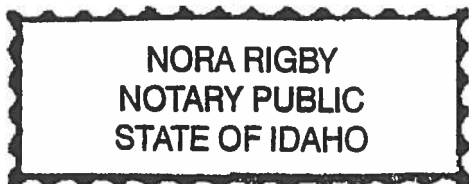
IN WITNESS WHEREOF, The said party of the first part, Personal Representative, has, as aforesaid, hereunto set his hand the day and year first above written.

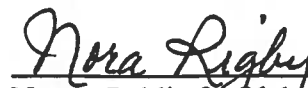

William E. Hansen

STATE OF IDAHO,)
County of Leton)^{ss.}

On this 9th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared William E. Hansen, known to me to be the person whose name is subscribed to the within instrument as the Personal Representative of the Estates of Edward O. Hansen and Beatrice S. Hansen, both deceased and acknowledged to me that he executed the same as such Personal Representative of said estates.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: Alta, Idaho
My Commission Expires: 3/31/2001

Rex Hansen
A22-00239A

0.40 cfs 01 June 1891

R.O.U. T.6N., R.45E.

Sec. 35 NENE 20 AC

NWNE 20 AC

Also see A22-00576C

Wm. Hansen
A22-00239B

0.30 cfs 01 June 1891

R.O.U. T.6N., R.45E.

Sec. 35 NENE 20 AC

NWNE 10 AC

Also see A22-00576D

MARGARET Hansen
A22-00239C

0.10 cfs 01 June 1891

R.O.U. T.6N., R.45E.

Sec. 35 10 AC w/ NWNE

Also see A22-00576E

Ed D. Hansen
A22-00239 DEFEED

0.80 cfs 01 June 1891

Source: So. Leigh Cr.

R.O.D. T.6N., R.45E.

Sec. 32 SE NWNE

R.O.U. T.6N., R.45E.

Sec. 35 NENE 400

NWNE 400

Receipt No. E002807

7 MAY 99 ABR

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: **A22-00239B**

Date Received: 9/20/1988

Receipt No: X777777

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WILLIAM E HANSEN
Address: PO BOX EE
JACKSON WY

307-733-2308

83001

2. Date of Priority: JUN 1, 1891

3. Source: SOUTH LEIGH CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	46E	32	SE	NW	NE	1	TETON

5. Description of diverting works:
DIVERSION FROM STREAM TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.300		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	35	NE	NE		IRR	20.0
			NW	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
					Total Acres	30.0

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:
22-00576A(PART)

14. Remarks:

SOURCE, WD01 RECORDS. P/D HOGG CANAL, DIVERSION IN WYOMING,
FROM WD01 RECORDS.

THIS CLAIM TO BE SPLIT BY C/O PENDING, 4/13/99, ABR.
ALSO SEE A22-00576A, ALSO TO BE SPLIT SAME WAY.

SEE ORIGINAL CLAIM FOR ADDITIONAL INFORMATION REGARDING DEEDS.

CLAIM IS A PORTION OF A22-00239. RECEIPT NO. E002807.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO.
vs Decree Defendant