

11/08/2006

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

RIGHT NUMBER: 22-378

NAME AND ADDRESS: LEIGH CREEK CANAL CO
C/O VERLE JARDINE
446 N HWY 33
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 8.000 CFS

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION:

T06N R46E S32 NENWSE Lot 3 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 5 SENWNW LT 4, 6PM for the Hog Canal.

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
8.000 CFS

PLACE OF USE:

Large Place of Use

3173.84 ACRES TOTAL

Place of use is within the area served by Leigh Creek Canal 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.

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

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.

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.

EXPLANATORY MATERIAL: 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 22-378
Date Received: 1/11/2005
Receipt No: E030548
Received By: Allen

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

1. Name of Claimant(s)

LEIGH CREEK CANAL CO Phone: (208) 456-2845
% VERLE JARDINE
446 N HWY 33
TETONIA ID USA 83452

2. Date of Priority: 06/01/1898

3. Source: SOUTH LEIGH CREEK , SOUTH LEIGH CREEK Trib. to: TETON CREEK , TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County	Type
06N	46E	32	NE	SW	NE	2	TETON	
06N	46E	32	NE	NW	SE	3	TETON	

5. Description of diverting works:

Actual diversion from south leigh creek is in Wyoming at SENWNW Sec. 5 T44N R118W listed PODs are on Idaho side of state line.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	46E	5	NE	NE		IRRIGATION	3173.84
Section Acres							3173.84
Total Acres							3173.84

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:

This right used with 22-379 and 22-608.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am President of _____ Title

South Leigh Canal, that I have signed the foregoing Organization

document in the space below as President of _____ Title

South Leigh Canal and that the statements contained in the Organization

foregoing document are true and correct. Rock C. Gardin Signature of Authorized Agent

President - Leigh Creek Canal Co. Title and Organization

1/20/05 Date

State of Idaho)
County of Teton) SS.

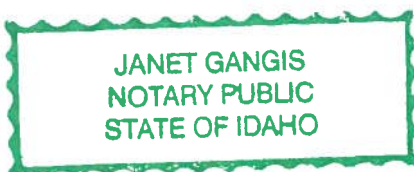
Subscribed and sworn (or affirmed) before me this 20th

of January 2005

Janet Gangis
Notary Public

Residing at Tetonia

My commission Expires 4/30/10



Idaho Department of Water Resources Receipt

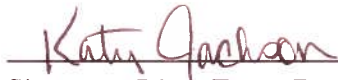
Receipt ID E030548

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	ADJUDICATION FILING FEE	0337	43503	1155	


Signature Line (Dept. Representative)

