

12/15/2006

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

RIGHT NUMBER: 22-402

NAME AND ADDRESS: NANCY B JARDINE
446 N HWY 33
TETONIA ID 83452

VERLE C JARDINE
446 N HWY 33
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.200 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION:

T06N R46E S32 NENWSE Lot 3 Within TETON WY 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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.200 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S02	NESW	33.00	T05N R45E S02	NWSW	41.00
T05N R45E S02	SWSW	40.00	T05N R45E S02	SESW	40.00

154 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 302 acres in a single irrigation season. Combined Right Nos.: 22-402, 22-679, 22-2151A, 22-7260.

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 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 Hog Canal, also known as Leigh Creek Canal.



Idaho Department of Water Resources

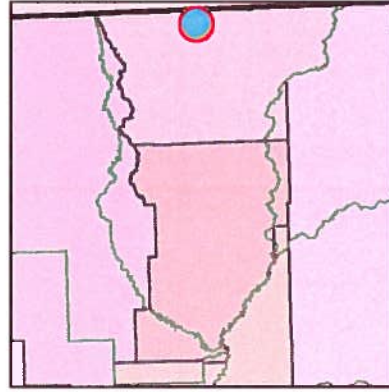
SRBA Recommendation:

22-402

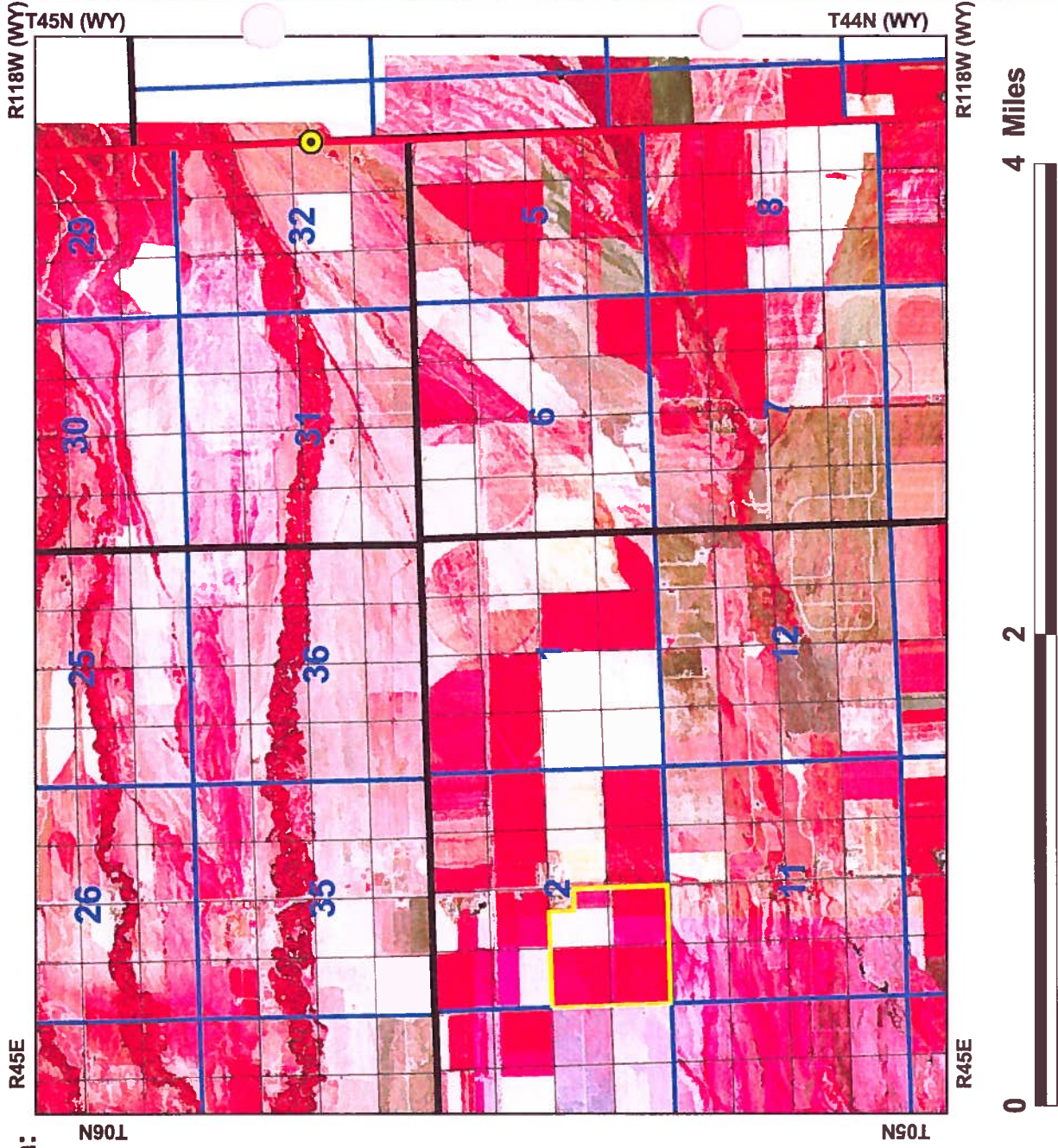
(Irrigation)

Legend

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



Teton County
IDWR Basin 22

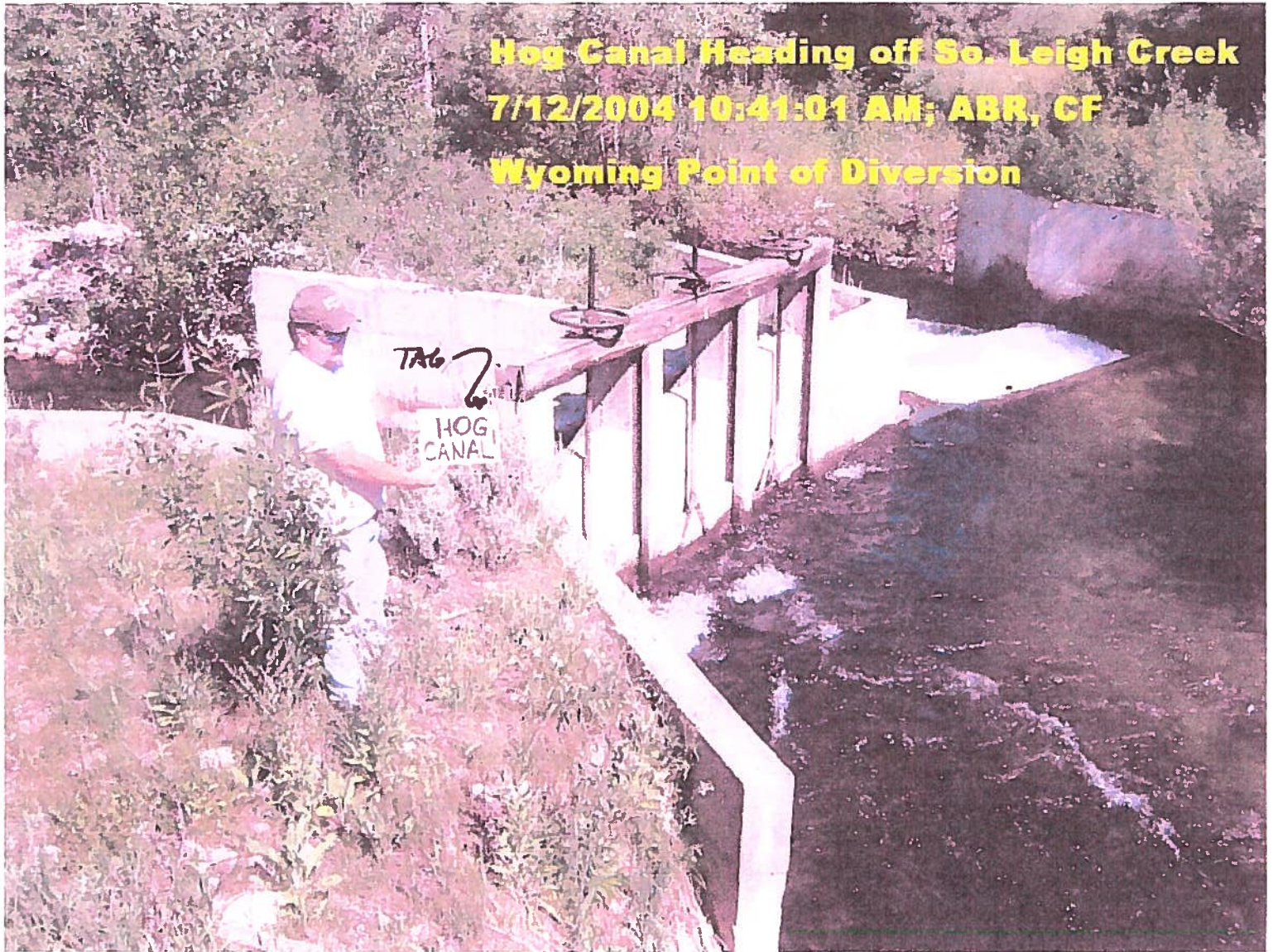


Prepared by K. Moore
On Friday, December 15, 2006
1987/88 Aerial Photography

22-402



Hog Canal Heading off So. Leigh Creek
7/12/2004 10:41:01 AM; ABR, CF
Wyoming Point of Diversion



LEIGH CREEK CANAL (AKA HOG CANAL)

GPS TAG # A0014205

WYOMING DIVERSION: T44N, R11BW SEC. 5 SWNWNW(24), 6 PM

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 22-402
DATE RECEIVED: 12/12/2006
RECEIPT NO: *EO32475*
RECEIVED BY: *DC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME OF CLAIMANT(S)

VERLE C JARDINE PHONE: (208)456-2845

446 N HWY 33
TETONIA ID USA 83452

NANCY B JARDINE PHONE: (208)456-2845

446 N HWY 33
TETONIA ID USA 83452

2. DATE OF PRIORITY: 06/01/1898

3. SOURCE: SOUTH LEIGH CREEK TRIB. TO: TETON RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY	TYPE
06N	46E	32		NE SE	TETON	

5. DESCRIPTION OF DIVERTING WORKS:

HOG CANAL

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	To	C.F.S.	(OR) A.F.A
IRRIGATION		04/15	10/31 3.2	

7. TOTAL QUANTITY APPROPRIATED IS:
3.2 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
05N	45E	2	NE	SW	IRRIGATION	37
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	38
SECTION ACRES						154
TOTAL ACRES						154

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:

P/D LEIGH CREEK CANAL, WD01 RECORDS. P/U AC. IRR. = 160.

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 INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Tammy B. Jardine DATE: 12-12-06

DATE: _____

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

12 OF Dec 20 06
SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

Dave Carlson



NOTARY PUBLIC

RESIDING AT Regby, Id
MY COMMISSION EXPIRES 2/26/2008