

06/27/2006

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

RIGHT NUMBER: 22-517A

NAME AND ADDRESS: LESLIE ROTH
2010 NIGHTHAWK DR
LARAMIE WY 82072

DON A ROTH
2010 NIGHTHAWK DR
LARAMIE WY 82072

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
Water is delivered from Middle Leigh Creek.

QUANTITY: 0.300 CFS

PRIORITY DATE: 06/01/1901

POINT OF DIVERSION:

T06N R46E S30 SENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.300 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S25	SWSW	31.00	T06N R45E S25	SESW	9.00
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40 ACRES TOTAL

40

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-136B, 22-515A,
22-516A, 22-517A

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

Water is delivered through Ricks Canal.



Idaho Department of Water Resources

Adjudication Claim:

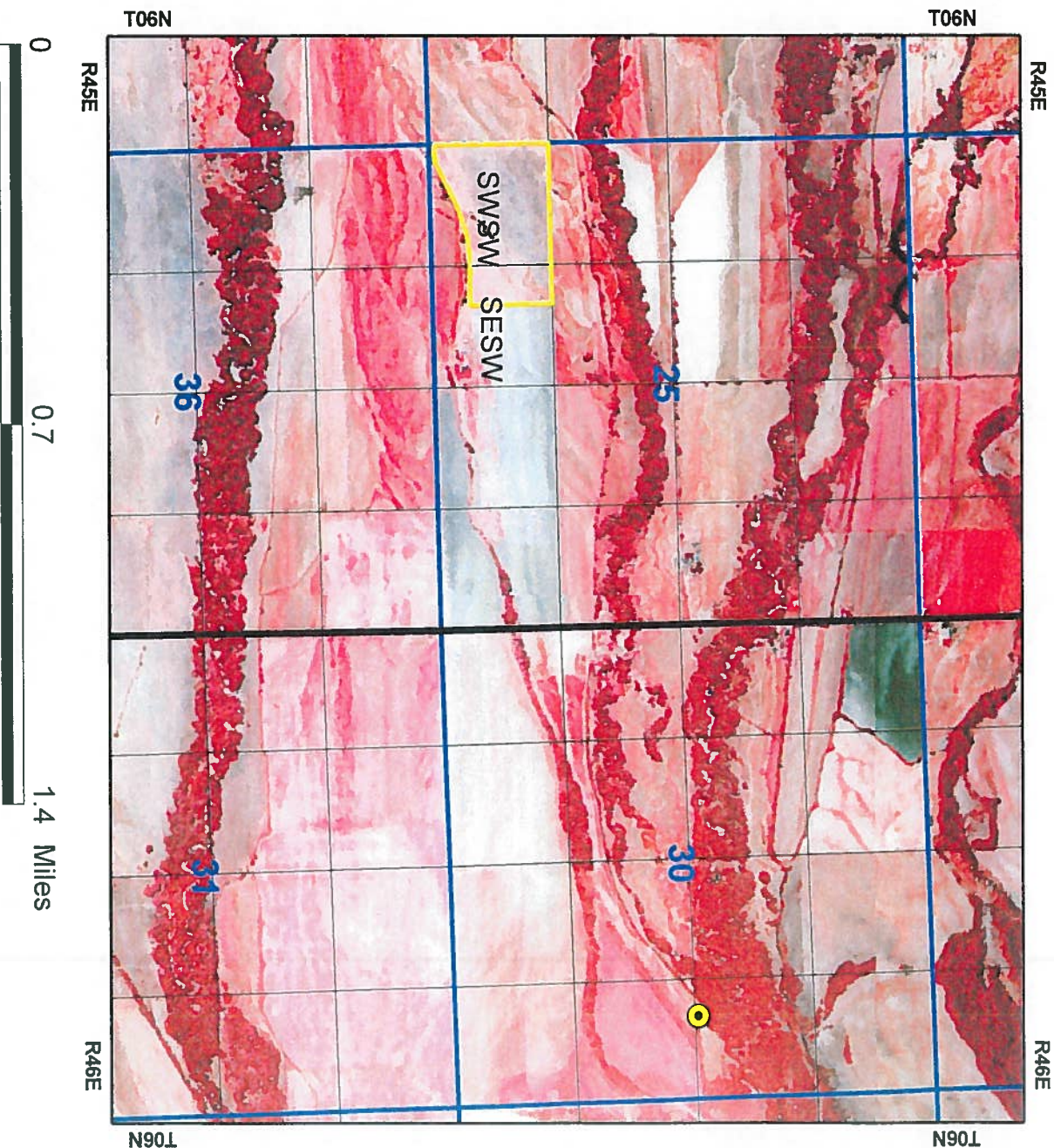
22-516A
22-517A
22-136B

Legend

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



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Tuesday, June 27, 2006
1987/88 Aerial Photography

11/22/2006

**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: 22-517A

LESLIE ROTH
2010 NIGHTHAWK DR
LARAMIE WY 82072
Telephone Number: (307)742-0875

DON A ROTH
2010 NIGHTHAWK DR
LARAMIE WY 82072
Telephone Number: (307)742-0875

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:

12/4/06

SIGNATURE:

Don Roth

Please print your name:

Don Roth

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

04/21/2005

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: 22-517A

LESLIE ROTH

~~1054 BONITA DR~~

LARAMIE WY 82072

Telephone Number: (307)742-0875

DON A ROTH

~~1054 BONITA DR~~

LARAMIE WY 82072

Telephone Number: (307)742-0875

cell: 307-760-0254

office: 307-766-3792

2010 Nighthawk Drive

2010 Nighthawk Drive

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: 6/20/05

SIGNATURE:

Don Roth

Please print your name:

Don Roth

IDWR Regional Office,

Address updated
6/27
RMT

FILED

SCANNED

JUN 28 2005

RECEIVED

JUN 27 2005

Department of Water Resources
Eastern Region

7/1/05
12/27



PROFIT

SCANNED
MAY 03 2005

State of Idaho

Department of Water Resources
Eastern Region



Water Right(s):

22-136B
22-515A
22-516A
22-517A

Point(s) of Diversion:

T06N R46E
Sec. 30 NWNESE

Place of Use (parts of):

T06N R45E
Sec. 25 SWSW

Delivered through Si-Ricks Canal.

LEGEND

- Point of Diversion
- Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: April 2005



Water Right and SRBA Split History Analysis

22-517A D. ROTH

0.30 cfs on 40[±] AC

DECREED UNDER:
REXBURG BRUG. VS
TETON BRUG., 1910
As: #215

J. Simmons
22-517

1.20 cfs 6/01/1901

No. LEIGH CREEK

POLL AS: T.6N. R.4SE

SEC. 25 S²SE, S²SW

CONTAINS 160[±] AC

$$\frac{1.20 \text{ cfs}}{160^{\pm} \text{ AC}} = 0.0075 \text{ cfs/AC}$$

22-517B B. SMITH

0.60 cfs on 80[±] AC

22-517C J. BUSH

0.30 cfs on 40[±] AC

PROFILED

SCANNED

MAY 03 2005

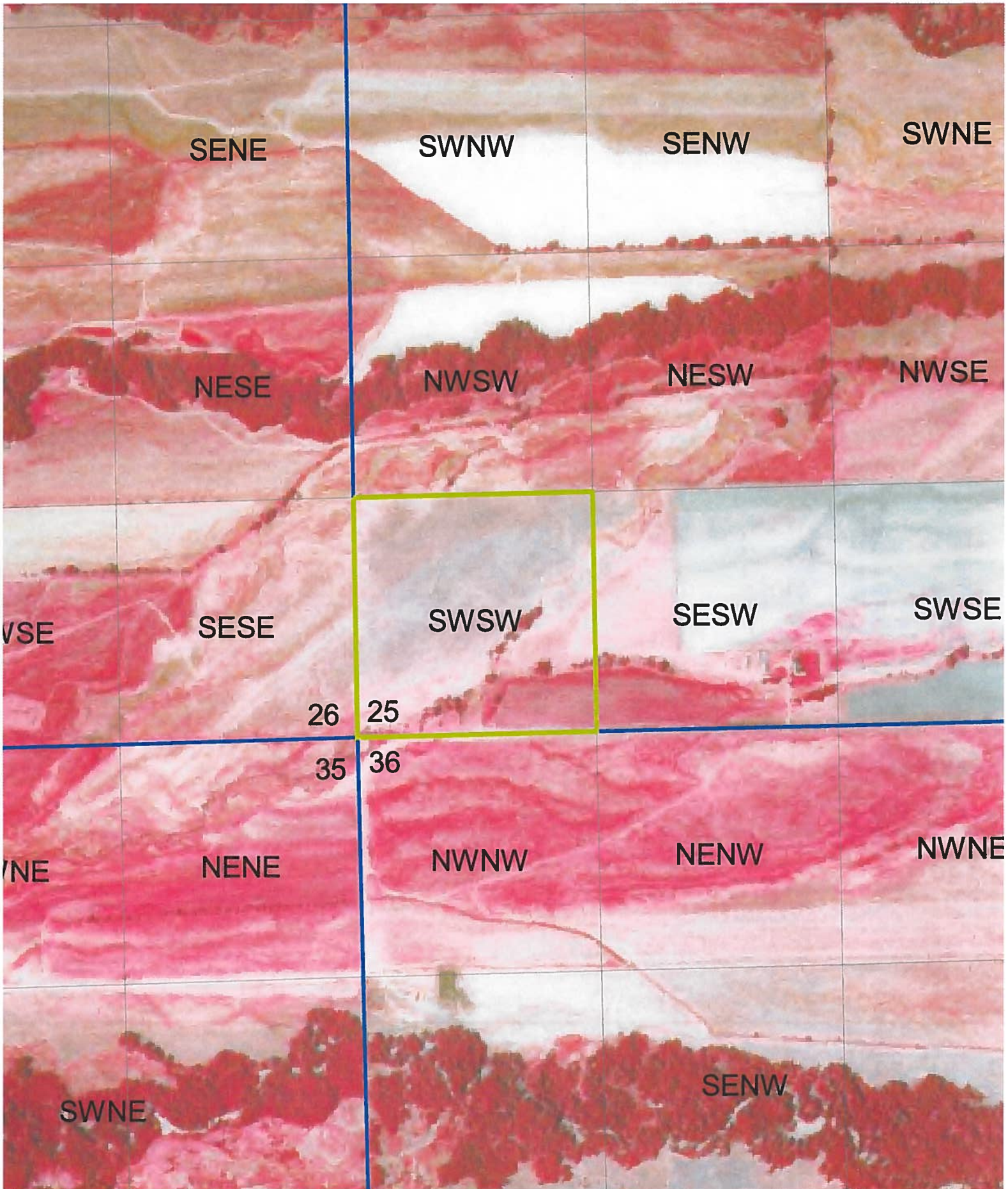
Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

PROFILED

22-517A

SCANNED
MAY 03 2005





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

SEPTEMBER 5, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DON A ROTH
1054 BONITA DR
LARAMIE WY 82070

RE: CHANGE IN OWNERSHIP FOR A22-00136B, A22-00516A,
A22-00515A, AND A22-00517A

Dear Mr. Roth:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notices of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,


Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

PROFILED

MICROFILMED
NOV 06 1995

SCANNED
MAY 03 2005

PROFILED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: August 10, 1995

RECEIVED

AUG 28 1995

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 6 North Range 45 East
Section 25, 1/4 of 1/4 of 1/4 Govt. Lot
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

AUG 31 1995

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) ☒ Department of Water Resources

☒ Water Right Number(s) OK OK OK ☒ Eastern District Office
Assigned by IDWR: A22-00136B, A22-00516A, A22-00515A, A22-00517A, A22-00515A

☐ Name and Address of Former Owner/Claimant(s)(Seller): Seller- Barbara Gamer/ Former Claimant- Harlander

☒ New Owner/Claimant (Purchaser): Don A. Roth and Leslie Roth

☒ New Mailing Address: 1054 Bonita Drive
Laramie, WY 82070

☒ New Telephone Number: (307) 742-0875

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Don A. Roth Date Aug. 25, 1995
Leslie Roth Date Aug 25, 1995

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

MICROFILMED

NOV 06 1995

SCANNED

MAY 03 2005

PRO

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

DECEMBER 15, 1992

JAMES AND MARY LOU BUSH
549 W 1050 N
FELT ID 83424

RE: CHANGE IN OWNERSHIP FOR A22-00515, 00516, 00517,
0011098(RENUMBERED TO 00136) AND 11099(RENUMBERED TO
00130

Dear Mr. and Mrs. Bush:

The request for Change in Ownership concerning your
Notices of Claim in the above reference has been
processed and the Notices modified to reflect you as the
new owner.

A22-00136 was split as follows: To James Bush,
A22-00136D, 0.80 cfs on 40 acres; to Donald Harlander,
A22-00136B, 0.80 cfs on 40 acres.

A22-00515 was split as follows: To James Bush,
A22-00515C, 0.30 cfs on 40 acres; to Donald Harlander,
A22-00515A, 0.30 cfs on 40 acres.

A22-00130 was split as follows: To James Bush,
A22-00130E, 0.80 cfs on 40 acres; to Edmund Twining III,
0.80 cfs on 40 acres.

A22-00517 was split as follows: To James Bush,
A22-00517C, 0.30 cfs on 40 acres; to Donald Harlander,
0.30 cfs on 40 acres.

A22-00516 was split as follows: To James Bush,
A22-00516C, 0.20 cfs on 40 acres; to Donald Harlander,
A22-00516A, 0.20 cfs on 40 acres.

Review the enclosed forms and if there are other
corrections or questions, feel free to contact this
office.

SCANNED

MAY 03 2005

PROFILED

MICROFILMED

APR 08 1994

James Bush
Page - 2 -

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: James Bush's Notices

cc: Donald C Harlander/Change Ownership Letter
Copies of Notices of Claim

File: P

SCANNED

MAY 03 2005

PROFILE

MICROFILMED

APR 08 1994

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): 22-00515, -00516, -00517, 136, 130

NOV 09 1992

Department of Water Resources
Eastern District Office

[] Name and Address of
Former Claimant(s): Don & Mary Lou Harlander

[] New Claimant(s): James & Mary Lou Bush

[] New Mailing Address: 549W 1050N
Felt, ID 83424

New Telephone Number: (208) 456 - 2849

[] Does the change in ownership result in a splitting of the
water right claimed? X yes no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

All in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 25, T6N, R45EBM

[] Attach proof of ownership
Describe proof attached:

(Proof of ownership must describe either the property
conveyed or include the claim number. Proof of ownership is
not required if this form is signed by the former claimant.)

[X] Signature of New Claimant(s):

James D. Brewer, Agent
for James & Mary Lou Bush

Date: 10/20/92

PROFILED

SCANNED

MAY 03 2005

(OVER, PLEASE)

APR 08 1994

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: **A22-00517A**
Date Received: 10/ 5/1988
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:	DON A ROTH	307-742-0875
Address:	1054 BONITA DR	
	LARAMIE WY	82070
AND/OR		
Name:	LESLIE ROTH	307-742-0875
Address:	1054 BONITA DR	
	LARAMIE WY	82070

2. Date of Priority: JUN 1, 1901

3. Source: NORTH 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	30	NW	NE	SE		TETON

5. Description of diverting works:
HEADGATE/DITCH

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 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 06 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	25	SW	SW		IRR	40.0
Section Acres							40.0
Total Acres							40.0

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:

A22-00515, A22-00516, A22-00136, 00130

14. Remarks:

WATER IS DIVERTED INTO WEAVER DITCH TO LITTLE DRY CREEK WHICH IS USED AS A NATURAL CARRIER TO THE PLACE OF USE AND DIVERTED BY TEMPORARY DAMS. WATER IS ALSO DIVERTED FROM HEADGATE ON RICKS CANAL IN THE SENESE OF SEC. 25, T6N, R45E.

PAID #E002913

CHANGED OWNERSHIP 9/5/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO. ET AL

Decree Plaintiff

TETON IRR. CANAL CO. ET AL

vs

Decree Defendant

MICROFILMED

NOV 06 1995

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: A22-00517A
Date Received: 10/ 5/1988
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD C. HARLANDER 208-456-2864
Address: P.O. BOX 8
DRIGGS ID 83442
AND/OR
Name: MARY LOU HARLANDER 208-456-2864
Address: P.O. BOX 8
DRIGGS ID 83442

2. Date of Priority: JUN 1, 1901

3. Source: NORTH 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	30	NW	NE	SE		TETON

5. Description of diverting works:
HEADGATE/DITCH

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 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

PROFILED

MAY 03 2005

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	25	SW	SW		IRR	40.0
Section Acres							40.0
Total Acres							40.0

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:

A22-00515, A22-00516, A22-00136, 00130

14. Remarks:

WATER IS DIVERTED INTO WEAVER DITCH TO LITTLE DRY CREEK WHICH IS USED AS A NATURAL CARRIER TO THE PLACE OF USE AND DIVERTED BY TEMPORARY DAMS. WATER IS ALSO DIVERTED FROM HEADGATE ON RICKS CANAL IN THE SENESE OF SEC. 25, T6N, R45E.
PAID #E002913

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs Decree 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: _____