

06/22/2006

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

RIGHT NUMBER: 22-567A

NAME AND ADDRESS: WESTON FARM LLC
10950 LUCKY OAK COURT
CUPERTINO CA 95014-0126

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.350 CFS

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

PRIORITY DATE: 09/01/1891

POINT OF DIVERSION:

T05N R46E S29 NWSE Lot 3 Within TETON County

The point of diversion for this water right is in Wyoming in T44N R118W section 22 NESW

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	0.350 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R46E S29	SWSW	40.00	T05N R46E S29	SESW	40.00
T05N R46E S29 Lot 4	SWSE	25.00			

105 ACRES TOTAL

105

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-237A, 22-567A, 22-13524.

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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

This water right is also recorded as Wyoming Certificated Water Right No. 7420 and 5093 enl.

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

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

Water is delivered through South Side Ditch

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

06/22/2006

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: 22-567A

WESTON FARM LLC
10950 LUCKY OAK COURT
CUPERTINO CA 95014-0126

PHONE: 408-735-9212
OR 208-354-9212

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: DEC 6, 2006

SIGNATURE:

Rondo F. Weston for WESTON FARM LLC

Please print your name:

RONDO F. WESTON

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

Phone #
updated
6/27/05



Idaho Department of Water Resources

Adjudication Claim:

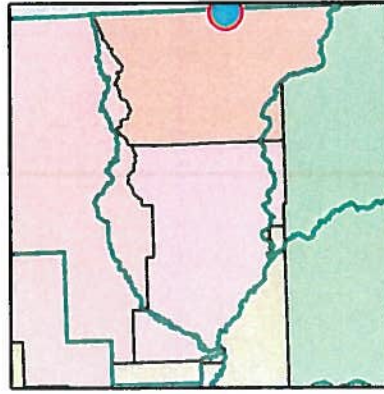
22-567A

22-237A

22-13524

Legend

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



Teton County
IDWR Basin 22



0 0.3 0.6 Miles

Prepared by D. Carlson
On Thursday, June 22, 2006
1987/88 Aerial Photography

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 22-567A
Date Received: 5/8/2006
Receipt No: E031870
Received By: Je

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WESTON FARM LLC Phone: 408-735-9212

10950 LUCKY OAK COURT
CUPERTINO CA USA 95014-0126

2. Date of Priority: 09/01/1891

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	29	NW SE 3	TETON	

5. Description of diverting works:

headgate to south side ditch to pipeline to pou

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.8	

7. Total Quantity Appropriated is:
0.8 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	46E	29	SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	4	IRRIGATION
Section Acres						105
Total Acres						105

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:

Water is delivered through South Side Ditch

The point of diversion for this water right is in Wyoming in T44N R118W section 32 SESW
The point of diversion shown above is where the conveyance system enters Idaho.

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 MEMBER, TREASURER of _____
Title

WESTON FARM LLC, that I have signed the foregoing
Organization

document in the space below as MEMBER, TREASURER of _____
Title

WESTON FARM LLC and that the statements contained in the
Organization

foregoing document are true and correct. Ronald J. Winton
Signature of Authorized Agent

MEMBER, TREASURER
Title and Organization

MAY 8, 2006
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this

8 of May 2006

Dave Carlson

Notary Public

Residing at

Rigby Id

My commission Expires

2/26/2008

