

11/29/2006

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

RIGHT NUMBER: 22-583B

NAME AND ADDRESS: TETON PARTNERS LTD
1000 N ORLANDO AVE STE D
WINTER PARK FL 32789

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 06/01/1899

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, 6PM.

The point of diversion shown above are 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	1.000 CFS

PLACE OF USE:

IRRIGATION in TETON County

T06N R46E S31	NESE	23.00	T06N R46E S31	SESE	36.00
T06N R46E S32	NESW	37.00	T06N R46E S32	NWSW	34.00
T06N R46E S32	SWSW	38.00	T06N R46E S32	SESW	38.00

206 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 206 acres in a single irrigation season. Combined Right Nos.: 22-161, 22-347B, 22-348B, 22-349B, 22-583B, 22-610, and 22-13176.

This right is limited to the irrigation of 140 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 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 the Hog Canal, also known as Leigh Creek Canal. Ditches with headings off the Hog Canal located in Wyoming provide irrigation water for portions of the place of use.



Idaho Department of Water Resources

SRBA Recommendation:

- 22-161
- 22-347B
- 22-348B
- 22-349B
- 22-583B
- 22-610
- 22-13176 (Irrigation)

●

Point of Diversion

Place of Use

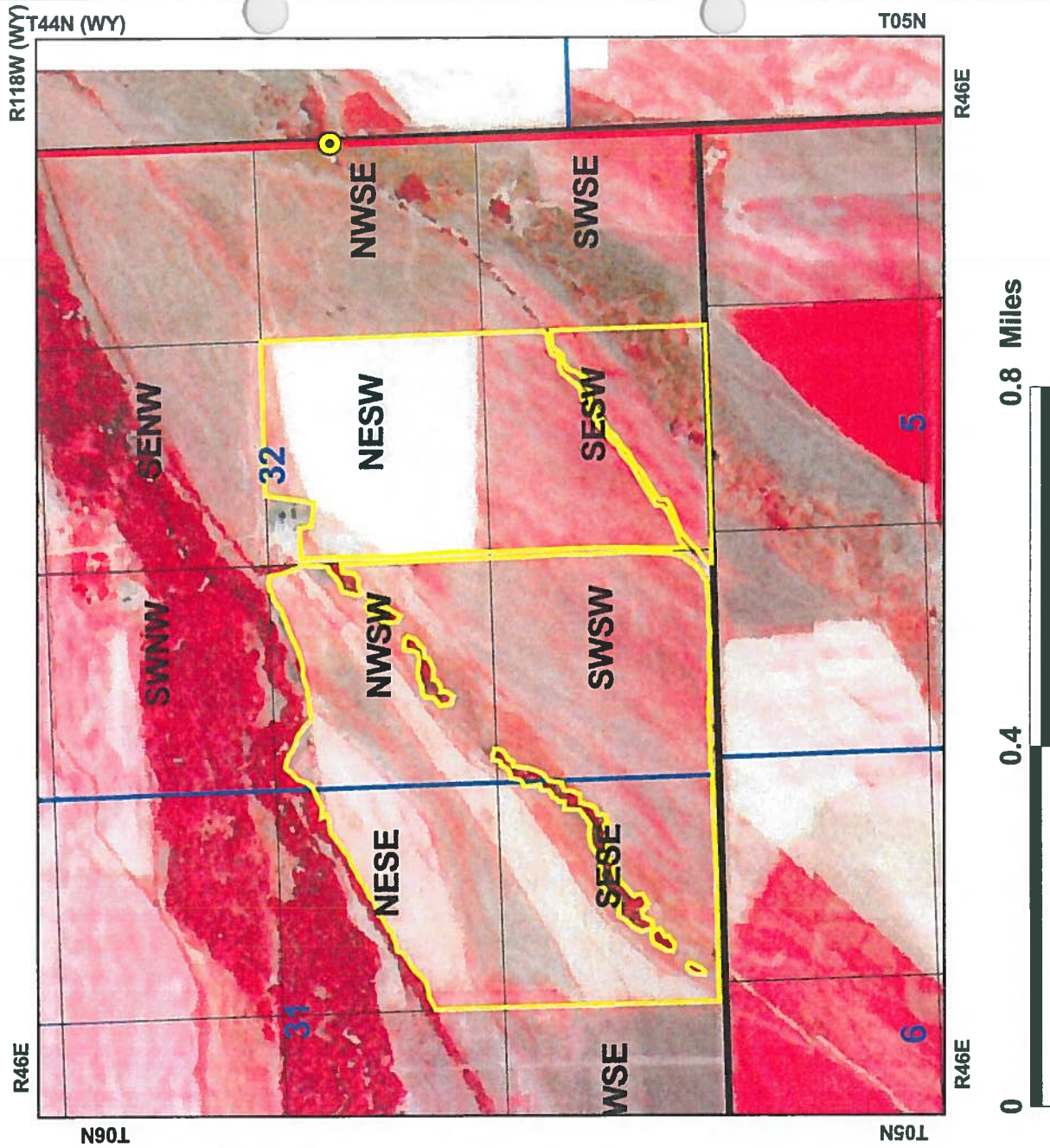
Townships

PLS Sections

Quarter Quarters



Teton County
IDWR Basin 22



Prepared by K. Moore
On Wednesday, November 29, 2006
1987/88 Aerial Photography

11/08/2006

**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: 22-583B

TETON PARTNERS LTD
1000 N ORLANDO AVE STE D
WINTER PARK FL 32789
Telephone Number: (407)629-1800

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:

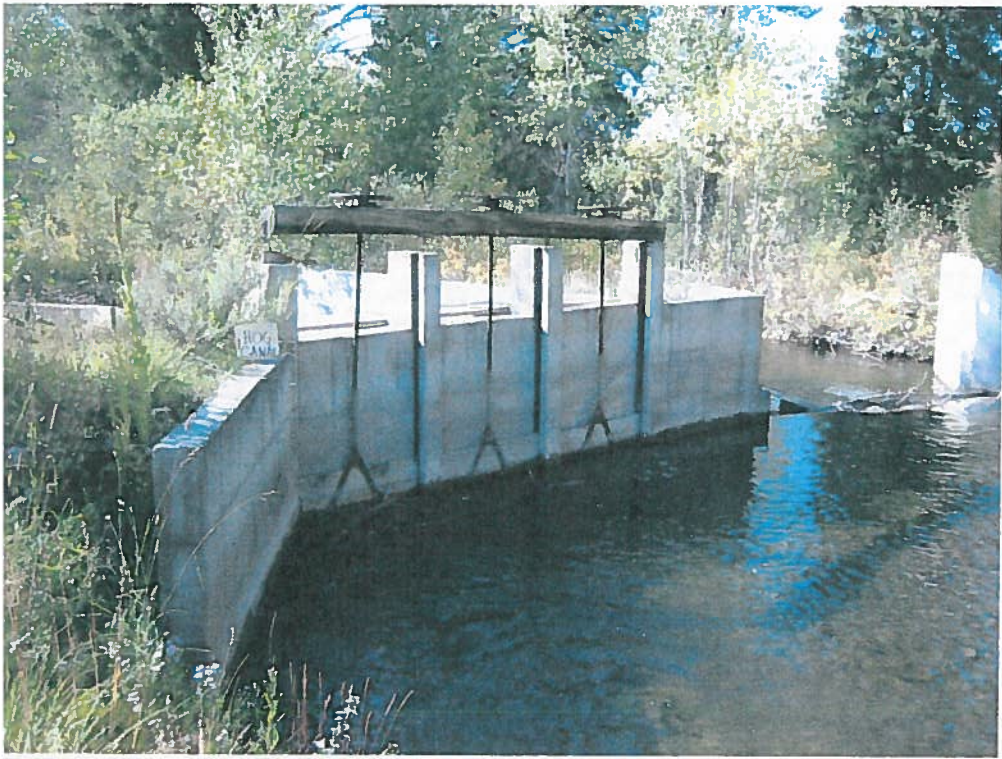
☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/5/2006 SIGNATURE: [Signature]
Please print your name: David C. Strong

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



HOG CANAL DIVERSION (WYOMING SIDE) OFF SO LETCH CK
ALSO SERVES LLOYD FULLMER



HOG CANAL DIVERSION OF SO LOUGH CR.

WYOMING DIVERSION

Also Serves Lloyd Fullmore.



Lloyd Krumon's Headgate over
Hog Canal. Wyoming Side.
Drivots to Private Ditch

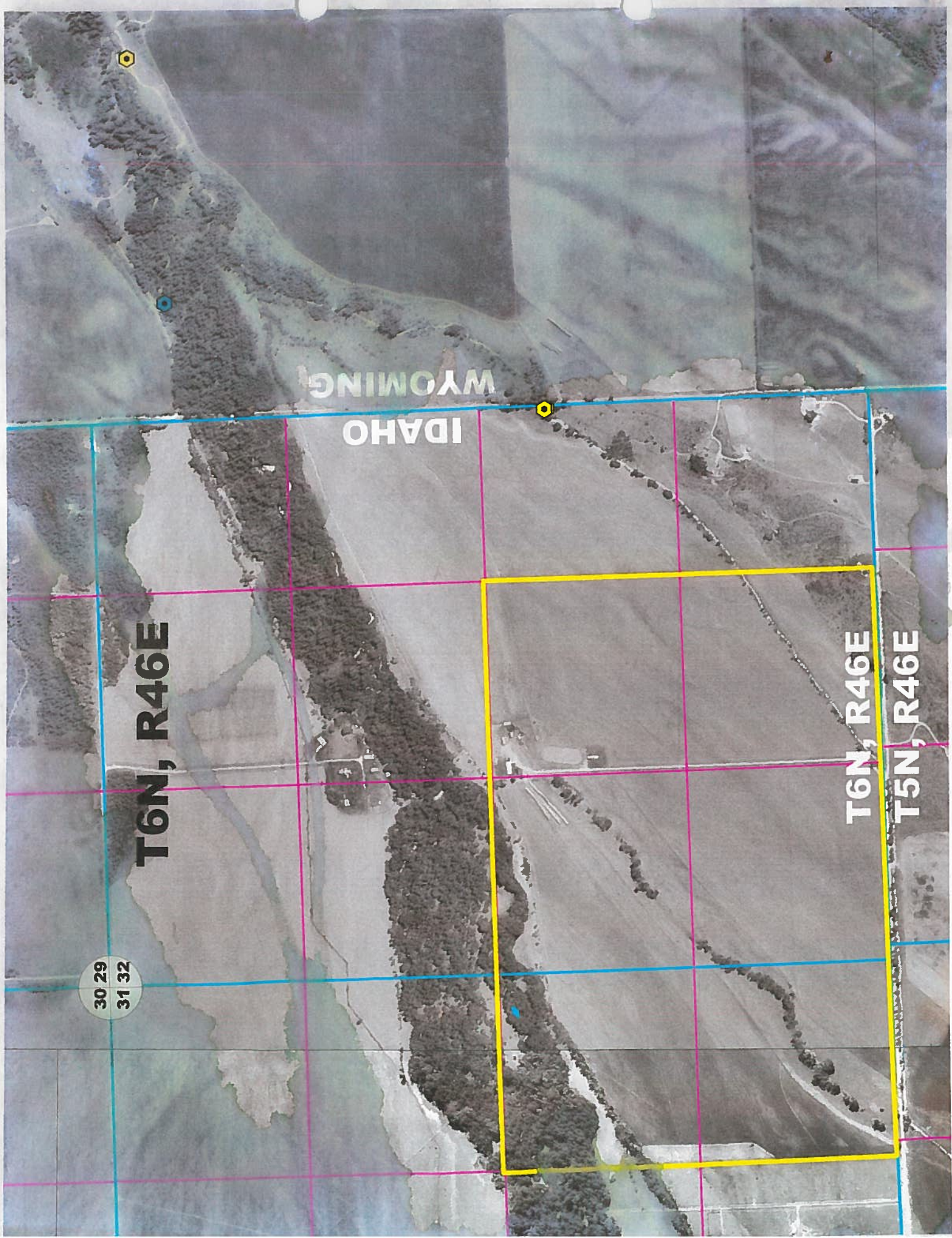
T6N, R46E

T6N, R46E

T5N, R46E

IDAHO
WYOMING

30 29
31 32



Place Of Use Data Entry Form

Claim Number: 22-583B**Claimed Place Of Use**

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
06N	46E	31	NESE		Teton		28	Irrigation
"	"	"	SESE		Teton		39.6	Irrigation
		32	NESW		Teton		37.8	Irrigation
		"	NWSW		Teton		36	Irrigation
		"	SWSW		Teton		39.9	Irrigation
		"	SESW		Teton		34.2	Irrigation

Total acres 215.5**Recommended Place of Use**

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: 22-141, 22-610, 22-13176**Document how the POU was verified:**

Field exam + GIS

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry FormClaim Number: 22-583B**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	1	

Overall Diversion Rate 1

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	1	

Overall Diversion Rate 1

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

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 22-583B
Date Received: 5/31/2001
Receipt No:
Received By: *RD30236*
ABR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LLOYD H FULLMER Phone: (208)456-2393
PO BOX 148
DRIGGS ID USA 83422

VERONIQUE R FULLMER Phone: (208)456-2393
PO BOX 148
DRIGGS ID USA 83422

FELL IN THE CREEK

2. Date of Priority: 06/01/1899

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 SW NE 2	TETON	

5. Description of diverting works:

POD is in Wyoming where water is first diverted from Leigh Creek is located in the SENWNW, S05, T44N, R118W, Teton Co, Wyo.

Legal description entered in database defines point where diversion ditch crosses the WYO/ID border since database will not currently accept WYO legal description.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1	

7. Total Quantity Appropriated is:
1 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
06N	46E	31	NE SE	IRRIGATION	28
			SE SE	IRRIGATION	39.6
				Section Acres	67.6

06N	46E	32	NE	SW	IRRIGATION	37.8
			NW	SW	IRRIGATION	36
			SW	SW	IRRIGATION	39.9
			SE	SW	IRRIGATION	34.2
					Section Acres	147.9
					Total Acres	215.5

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:

COPIED FROM WR DATABASE:

Point of diversion is located in the SWNW, S05, T44N, R118W, Teton County, Wyoming. Transfer No. 2621 was filed to change the place of use under all of right no. 22-00161 & portions of Right Nos. 22-00347/348/349/582 & 583 splitting each right into parts A & B.

Rights 22-00161/347B/348B/349B/582B/583B/& 610 claimed as PPU. Claimant says that historical and current irrigation practice is to use the rights as PPU.

Claimant indicated on map that the POD in Wyoming where water is first diverted from Leigh Creek is located in the SENWNW, S05, T44N, R118W, Teton Co, Wyo.

Right nos. 22-00347B, 22-00348B, 22-00349B, 22-00582B, and 22-00583B are limited to 140 acres within the POU described.

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): *Magel Fulmer*

Date: 9-9-04

Terouique Fulmer

Date: 9-9-04

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 9th
of Sept 2004

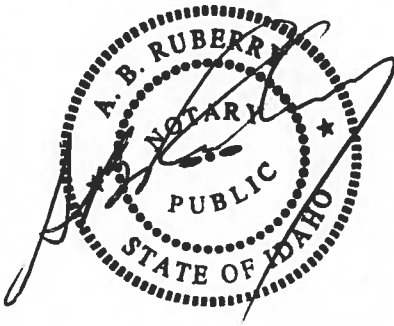
Aaron B. Ruberry
Notary Public

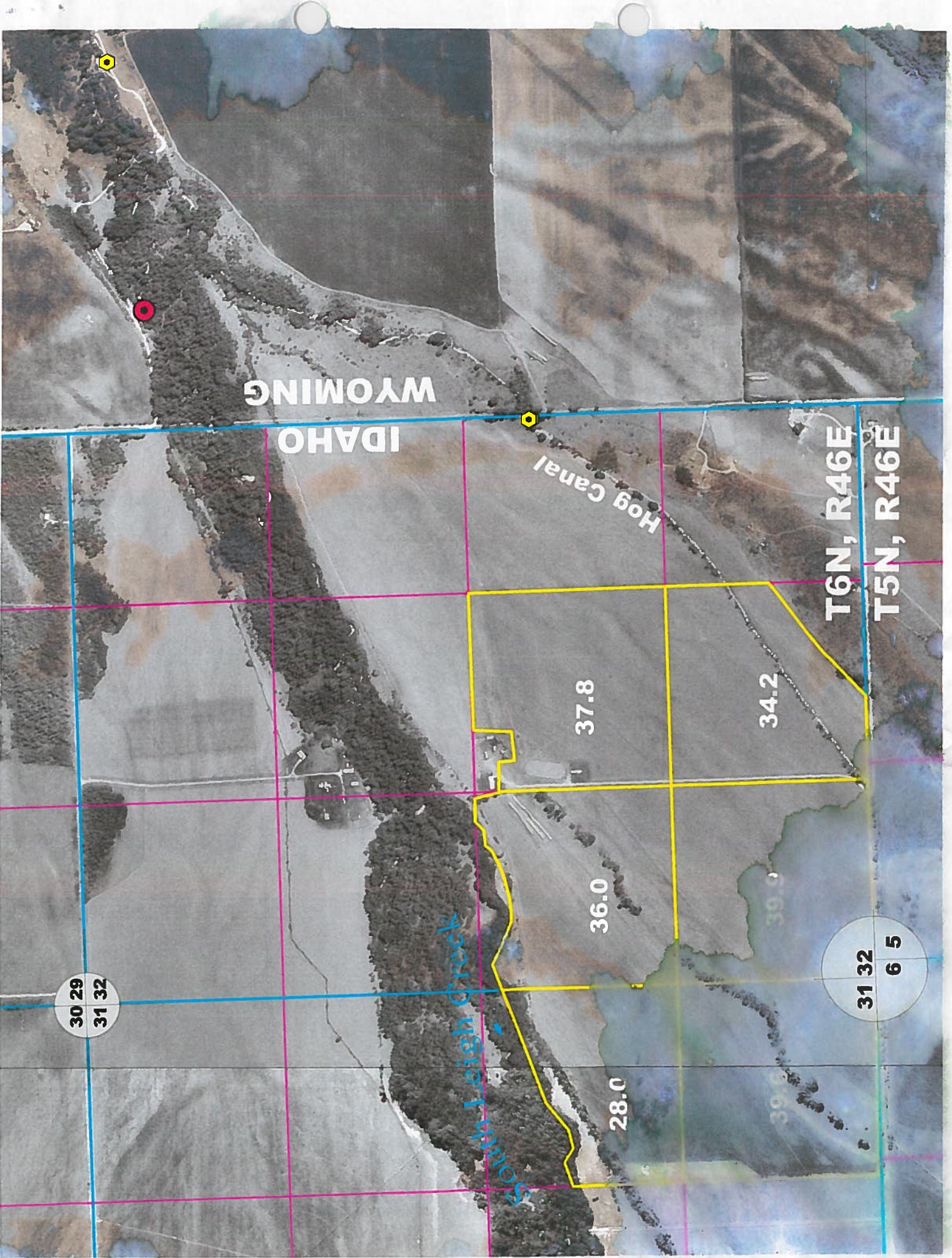
Residing at

Donna Lous Co

My commission Expires

9/23/04





IDAHO
WYOMING

Hog Canal

T6N, R46E
T5N, R46E

30 29
31 32

31 32
6 5

37.8

34.2

36.0

28.0

39.0

39.0

South Leigh Creek