

11/08/2006

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

RIGHT NUMBER: 22-622
NAME AND ADDRESS: WILLIAM M WIRTHLIN
402 CANYON OAK WAY
SALT LAKE CITY UT 84103
SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 4.000 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T06N R45E S33 NWSWSE 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	4.000 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S32	SWNW	40.00	T06N R45E S32	SESW	7.00
T06N R45E S32	NESW	40.00	T06N R45E S32	NWSW	40.00
T06N R45E S32	SWSW	40.00	T06N R45E S32	SESW	27.00

194 ACRES TOTAL

194

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-526B, 22-527B,
22-334A, 22-622

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

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

Water is delivered through Black Ditch



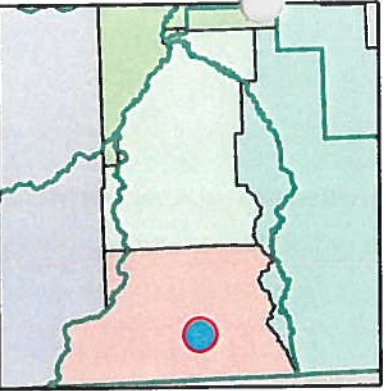
Idaho Department of Water Resources

Adjudication Claim:

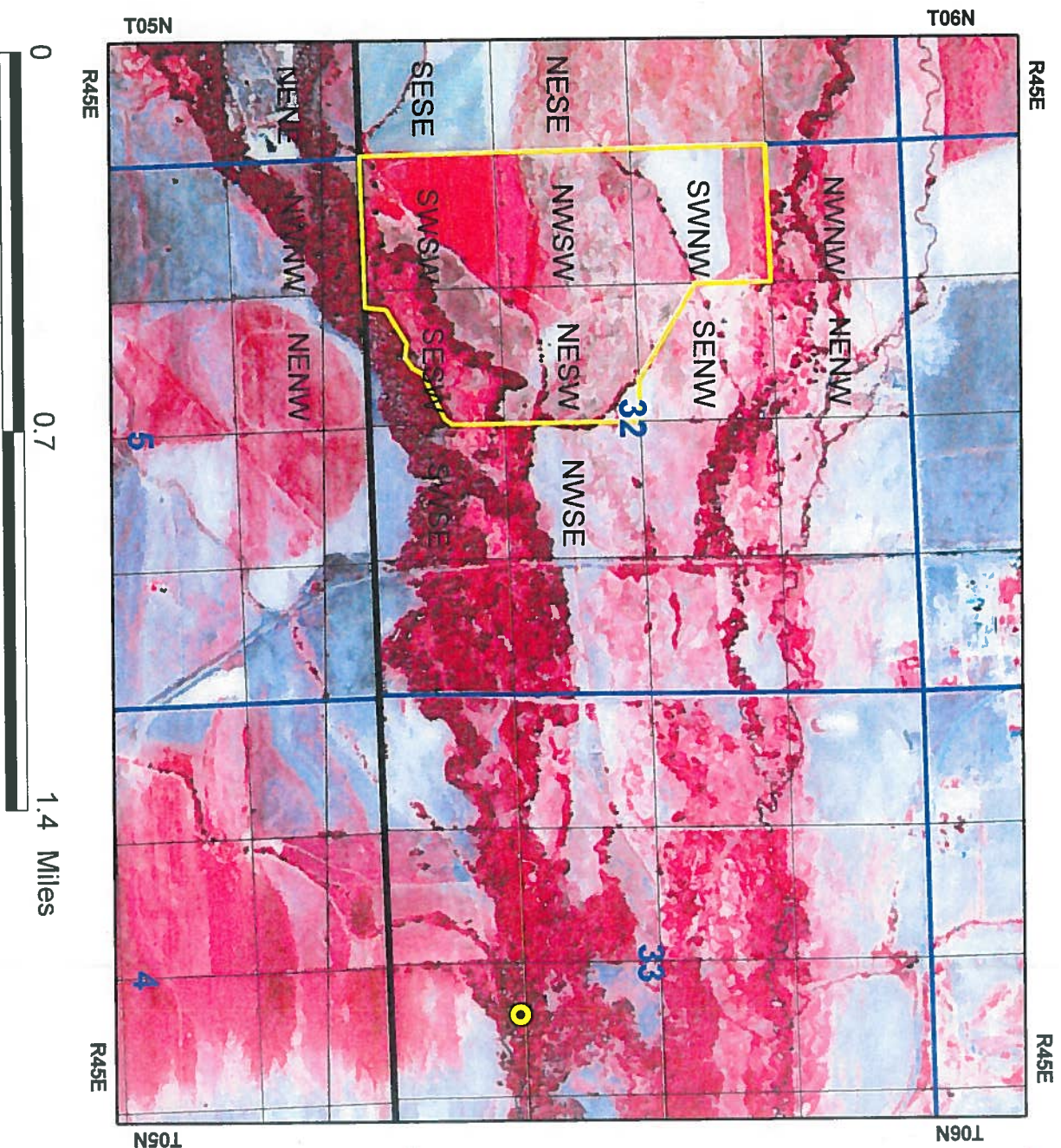
22-622

Legend

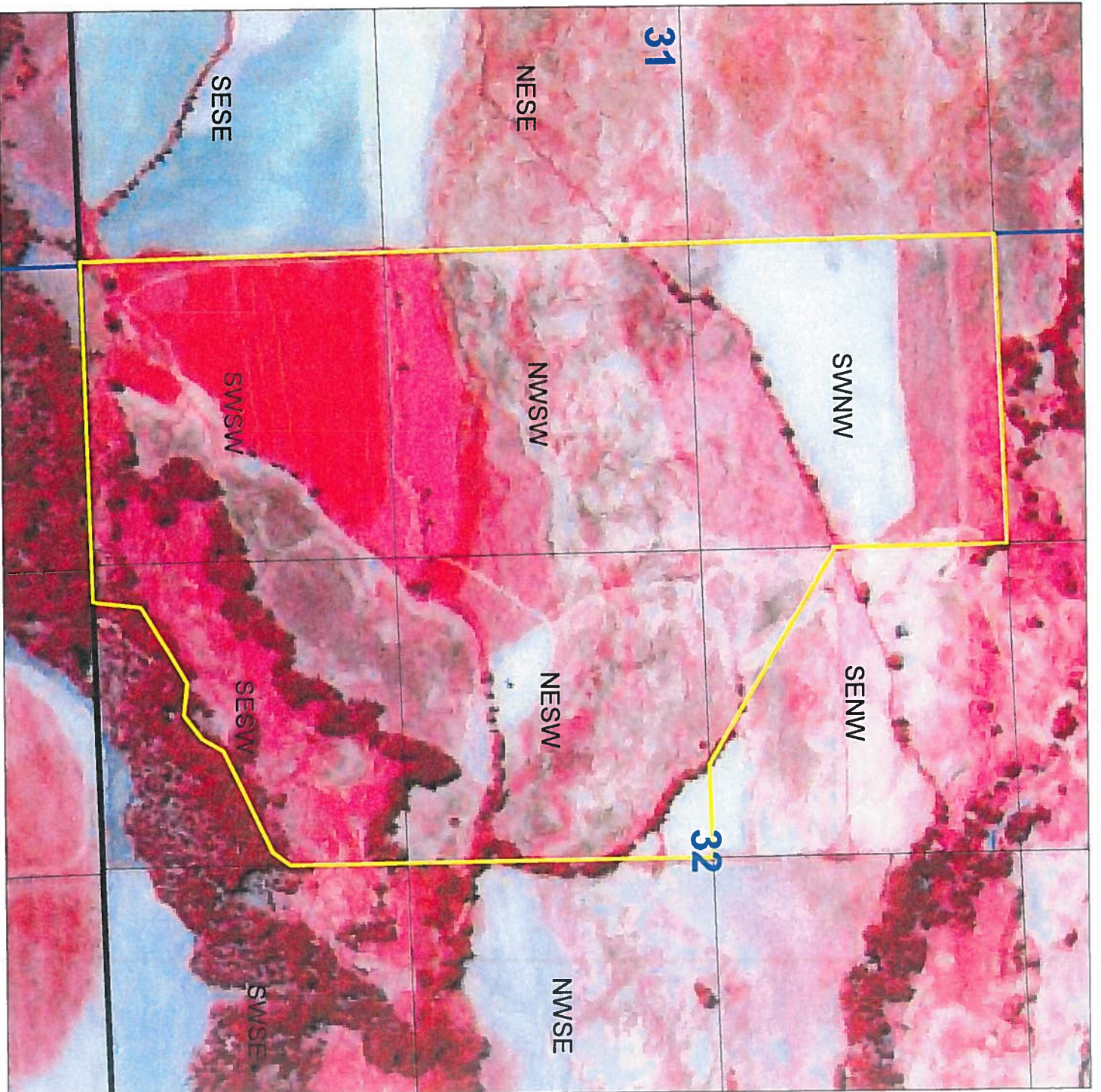
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Wednesday, November 8, 2006
1987/88 Aerial Photography



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 22-622

WATER RIGHT NUMBER: 22-622

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMMA H HANKS
	, ID

Priority Date: 01/22/1916
Basis: Deceased
Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH LEIGH CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	4.000 CFS	
	Total Diversion:	4.000 CFS	

<u>Location of Point(s) of Diversion</u>		
SOUTH LEIGH CREEK	NW1/4SE1/4	Sec. 32, Twp 06N, Rge 45E, B.M.
TETON County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	32							X			X	X	X	X				

~~3.7~~ CFS

4.0

Conditions of Approval:

1. AC. IRR. = 200.
AC. IRR. = 200.

Remarks:

Comments:

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 22-622
Date Received: 7/10/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM M WIRTHLIN Phone: (801)578-8801

402 CANYON OAK WAY
SALT LAKE CITY UT USA 84103

2. Date of Priority: 01/22/1916

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	45E	33	NE SW	TETON	

5. Description of diverting works:

cement headgate approx 6 ft wide

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	4	

7. Total Quantity Appropriated is:
4 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	45E	32	SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	15
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
Section Acres						215
Total Acres						215

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:

AC. IRR. = 200.
AC. IRR. = 200.

STOCKWATER, 200 CATTLE AND HORSES

OTHER WATER RIGHTS USED AT THE SAME PLACE OF USE DESCRIBED ABOVE: 22-334A, 22-526, 22-527

BASED ON DECREE 22-622

15. Basis of Claim: Decreed

16. Signature(s)

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 22-13499
Date Received: 4/6/2006
Receipt No: E037159
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM M WIRTHLIN JR Phone: (801)578-8801
402 CANYON OAK WAY
SALT LAKE CITY UT USA 84103

2. Date of Priority: 01/22/1916

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	45E	33	NE SW	TETON	

5. Description of diverting works:

CEMENT HEADGATE APPROXIMATELY 6 FT WIDE

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31 4	

7. Total Quantity Appropriated is:
4 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	45E	32	SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	15
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	215
					Total Acres	215

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:

STOCKWATER, 200 CATTLE AND HORSES

OTHER WATER RIGHTS USED AT THE SAME PLACE OF USE DESCRIBED ABOVE: 22-334A, 22-526, 22-527

BASED ON DECREE 22-622

15. 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**

22-622
CIVIL CASE NUMBER: 39576

Ident. Number 22-13499

Date Received 4-6-06

Receipt Number E03,759

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

RECEIVED

APR 06 2006

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) William M. Wirthlin, Jr. Phone (801) 578-8801
 Mailing Address 402 Canyon Oak Way, Salt Lake City, UT Zip 84103
2. Date of Priority (Only one (1) per claim) January 22, 1916
3. Source of water supply (a) South Leigh Creek
 which is tributary to (b) Teton River
4. a. Location of existing point of diversion is: Township 6N Range 45E Section 33,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Teton
 Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
 Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
 Govt. Lot _____ B.M., County of _____
 ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
 _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
 including the dates of any changes or enlargements in use, the dimensions of the diversion works as
 constructed and as enlarged and the depth of each well. Cement headgate approximately 6' wide

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/31 amount 4.0 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 537.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater: cattle and horses, 200 head

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	45E	32						40	15		40	40	40	40					215

Total number of acres irrigated 215

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A22-00334A, A22-00526, A22-00527 or None ()

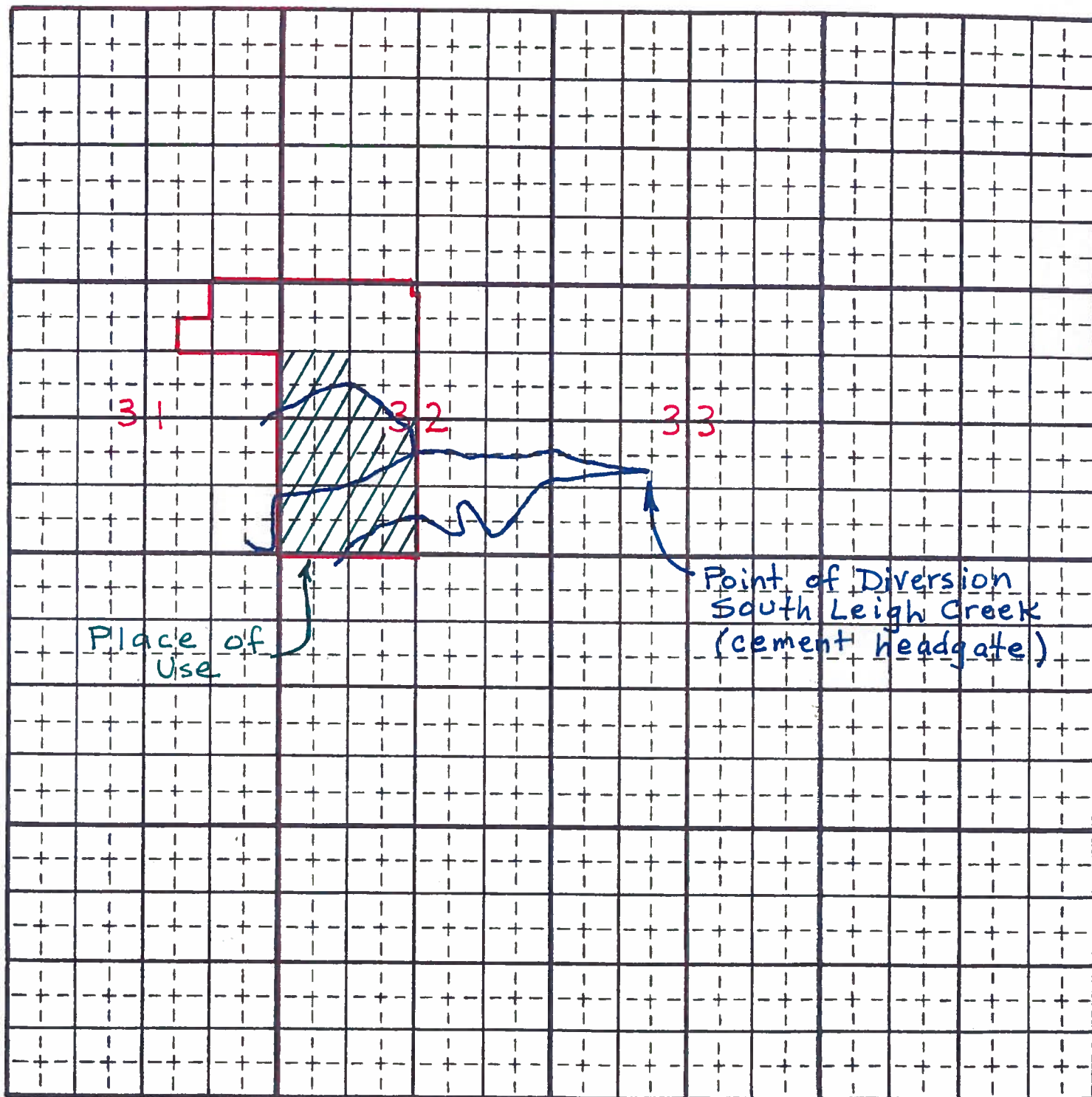
14. Remarks: Please send a copy of all future communications to my attorney
at the following address: Daniel A. Jensen
185 S. State Street, Suite 1300
Salt Lake City, UT 84111

Last Name Wirthlin Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T6N, R45E, BM



Last Name

Wirthlin

Ident No.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 22-00622
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 04/05/06

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 5th day of April 2006



Notary Public [Signature]
Residing at Davis County
My Commission Expires 9/19/08

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Wirthlin Ident. Number _____

PARR WADDOUPS BROWN
GEE & LOVELESS *A Professional Corporation*
Attorneys at Law

DANIEL A. JENSEN

April 5, 2006

FEDERAL EXPRESS

IDAHO DEPARTMENT OF WATER RESOURCES
Attn: Adjudication Staff
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

RECEIVED

APR 06 2006

Department of Water Resources
Eastern Region

Re: William M. Wirthlin, Jr. Water Rights

Ladies and Gentlemen:

This firm represents William M. Wirthlin, Jr. Enclosed for filing are eight original Notices of Claim to a Water Right covering eight water rights owned by Mr. Wirthlin. Mr. Wirthlin's ranch property is located just southwest of Teton in Teton County.

Also enclosed is a check in the amount of \$769.74 (based on \$50 per claim and \$1 for each of Mr. Wirthlin's 369.74 acres).

I have not signed the Notice of Appearance part of the claims, as I am not licensed to practice law in Idaho. All future correspondence regarding the subject water rights should be directed to Mr. Wirthlin at the address listed in section 1 of the claims. I do ask, however, that you copy me on all correspondence to Mr. Wirthlin regarding the subject water rights.

If anything further is required, please let me know. My address and phone number are listed below.

Respectfully yours,


Daniel A. Jensen

Enclosures

cc: William M. Wirthlin, Jr.

MISC-WIR-IDWR

