

12/12/2006

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

RIGHT NUMBER: 22-2029E
NAME AND ADDRESS: DENNY THOMAS
732 N 50 W
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
QUANTITY: 0.800 CFS
PRIORITY DATE: 01/20/1908
POINT OF DIVERSION:

T06N R45E S25 NESENE Within TETON County
T06N R46E S29 NWNE Lot 1 Within TETON County
The point of diversion for this water right is in Wyoming, T45N, R118W, Sec.
32, SENW, lot 2, 6PM
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	0.800 CFS

PLACE OF USE:

<u>IRRIGATION in TETON County</u>			
T06N R45E S22	NESE	18.00	T06N R45E S23 NESW 18.00
T06N R45E S23	NWSW	20.00	

56 ACRES TOTAL

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

The rights listed below are limited to the irrigation of a combined total of
56 acres in a single irrigation season. Combined Right Nos.: 22-131C, 22-238B,
22-2029E.

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 - License

Water is delivered through North Leigh Canal or Hubbard ditch.

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



Idaho Department of Water Resources

SRBA Recommendation:

22-131C

22-238B

22-2029E

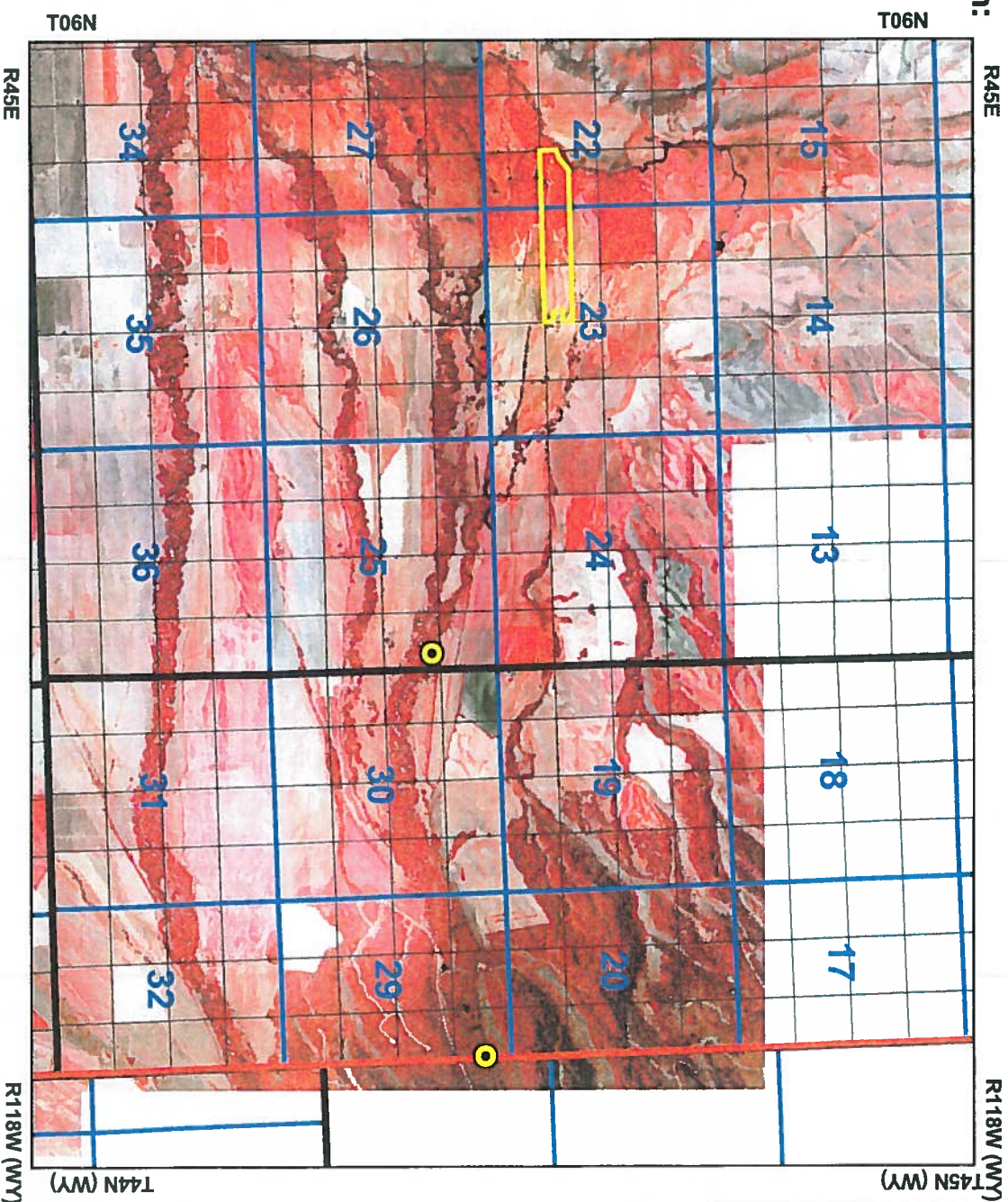
(Irrigation)

Legend

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

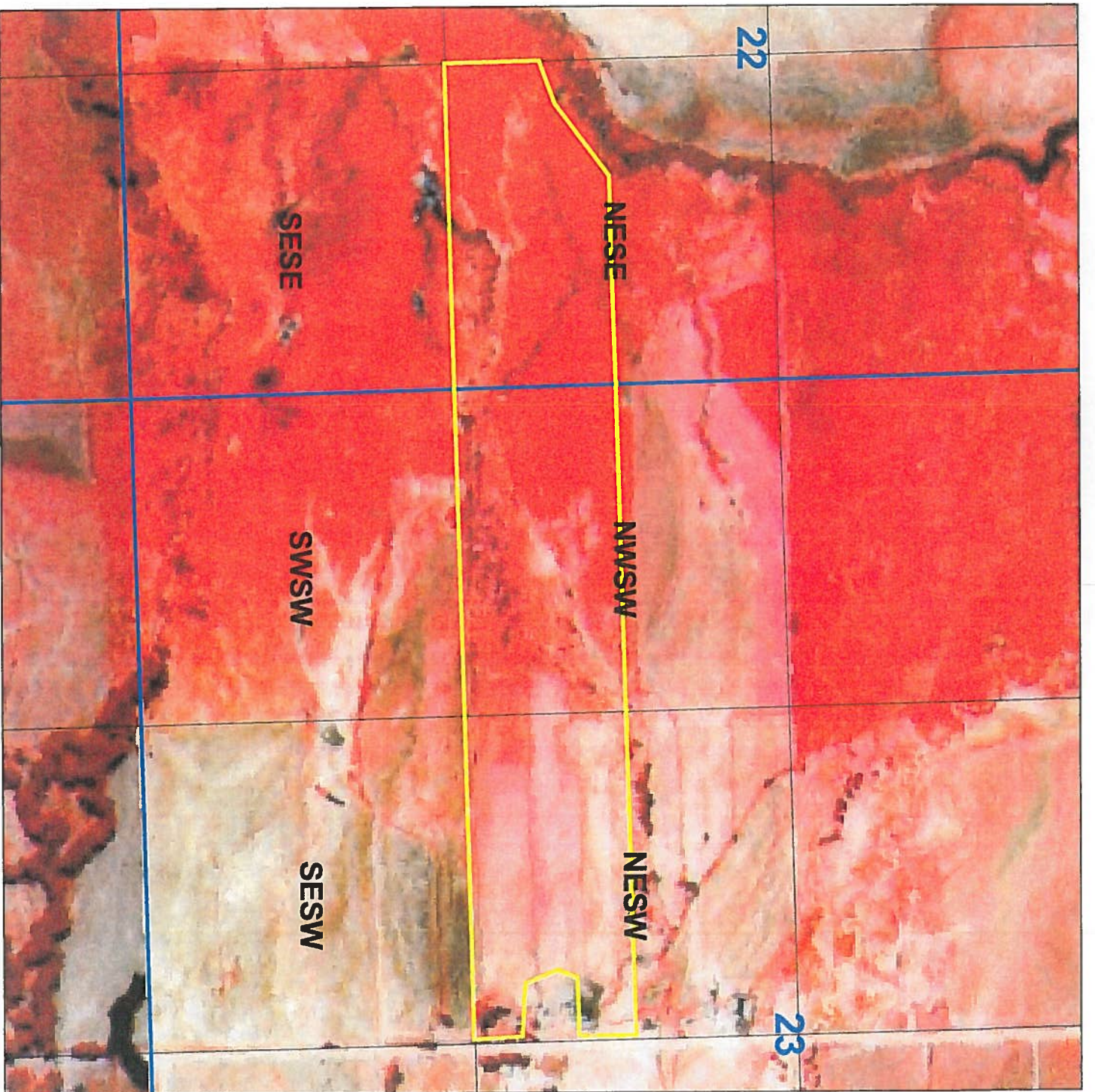


Teton County
IDWR Basin 22



Prepared by K. Moore
On Tuesday, December 12, 2006
1987/88 Aerial Photography

22-131C
22-238B
22-2029E



Affidavit of Publication

STATE OF IDAHO,)
County of Fremont,) ss.

I, Wm. F. Gibson, do solemnly swear that I am the publisher of the FREMONT COUNTY NEWS, a weekly newspaper of general circulation, published once each week at St. Anthony, Fremont County, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper Five consecutive weeks; first publication having been made on the 21st day of October 1908; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Wm. F. Gibson

Subscribed and sworn to before me this 24

day of February A. D., 1910

I,

do hereby certify that a notice, a printed copy of which is hereto attached, was by me posted in a conspicuous place in my office for a period of 30 days, I having posted said notice on the _____ day of _____

A, D., 190_____

Register.

3454

Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m., on the 25th day of November, 1908, at St. Anthony, County of Fremont, State of Idaho, before J. P. Clark, United States Commissioner, proof will be submitted of the completion of works for the diversion of 24 cubic feet per second of the waters of North Leigh creek, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3454 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit is North Leigh Irrigation Canal Co., Ltd., Clawson, Idaho.

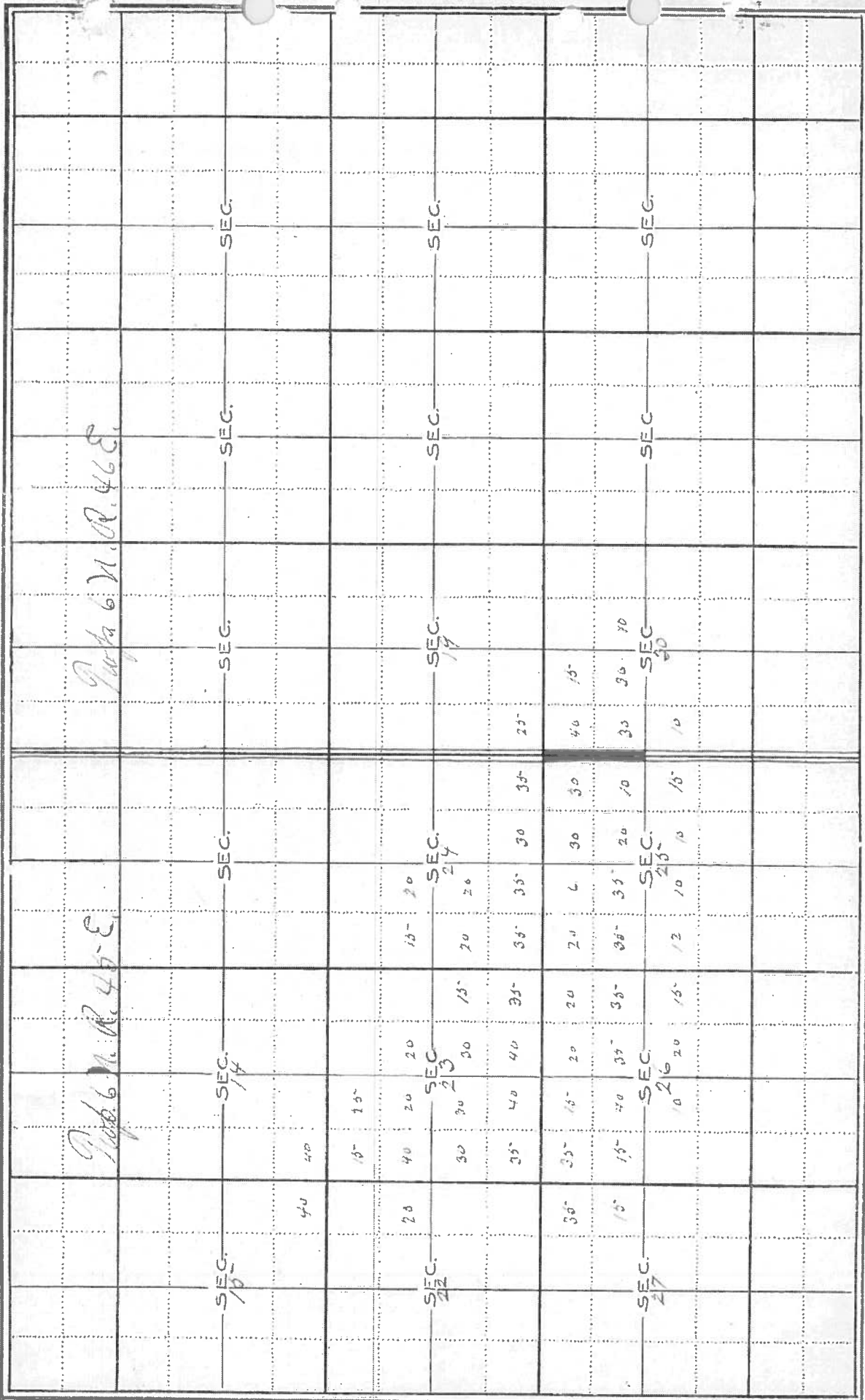
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 24 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 24 cubic feet per second.

4. The place where said water is used is on the N $\frac{1}{4}$ Sec. 30, NW $\frac{1}{4}$ Sec. 30, S $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, T. 6 N., R. 40 E. B. M., N $\frac{1}{4}$ Sec. 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, N $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, N $\frac{1}{4}$ Sec. 26, N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, SW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, T. 6 N., R. 45 E. B. M.

5. The date of priority which said user is prepared to establish is January 20, 1908.

JAS. STEPHENSON, Jr.,
State Engineer.



Township No. 6 N Range No. 45 E B. Mer.

3	5	4	3	2	1
7	8	9	10	11	12
13	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

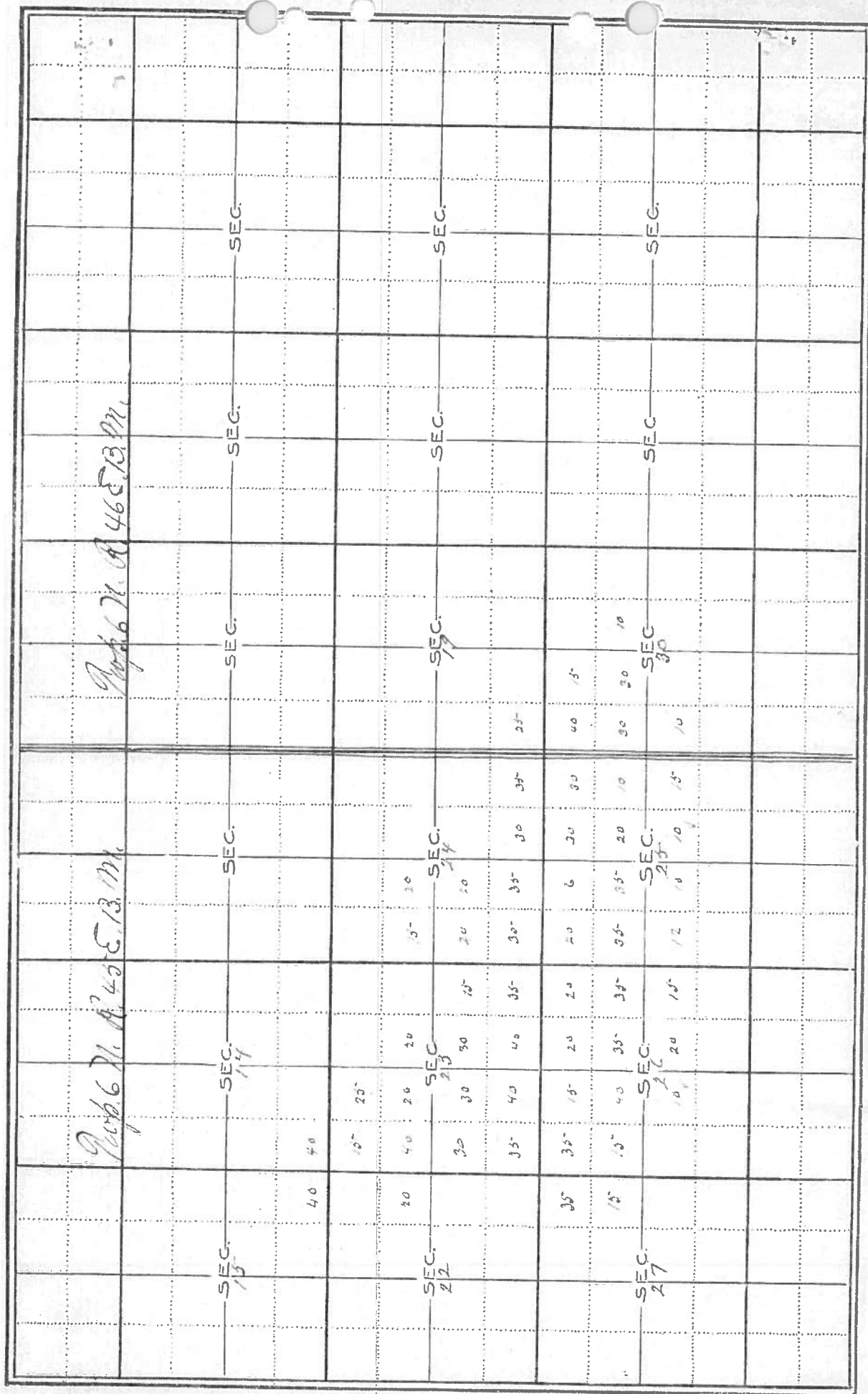
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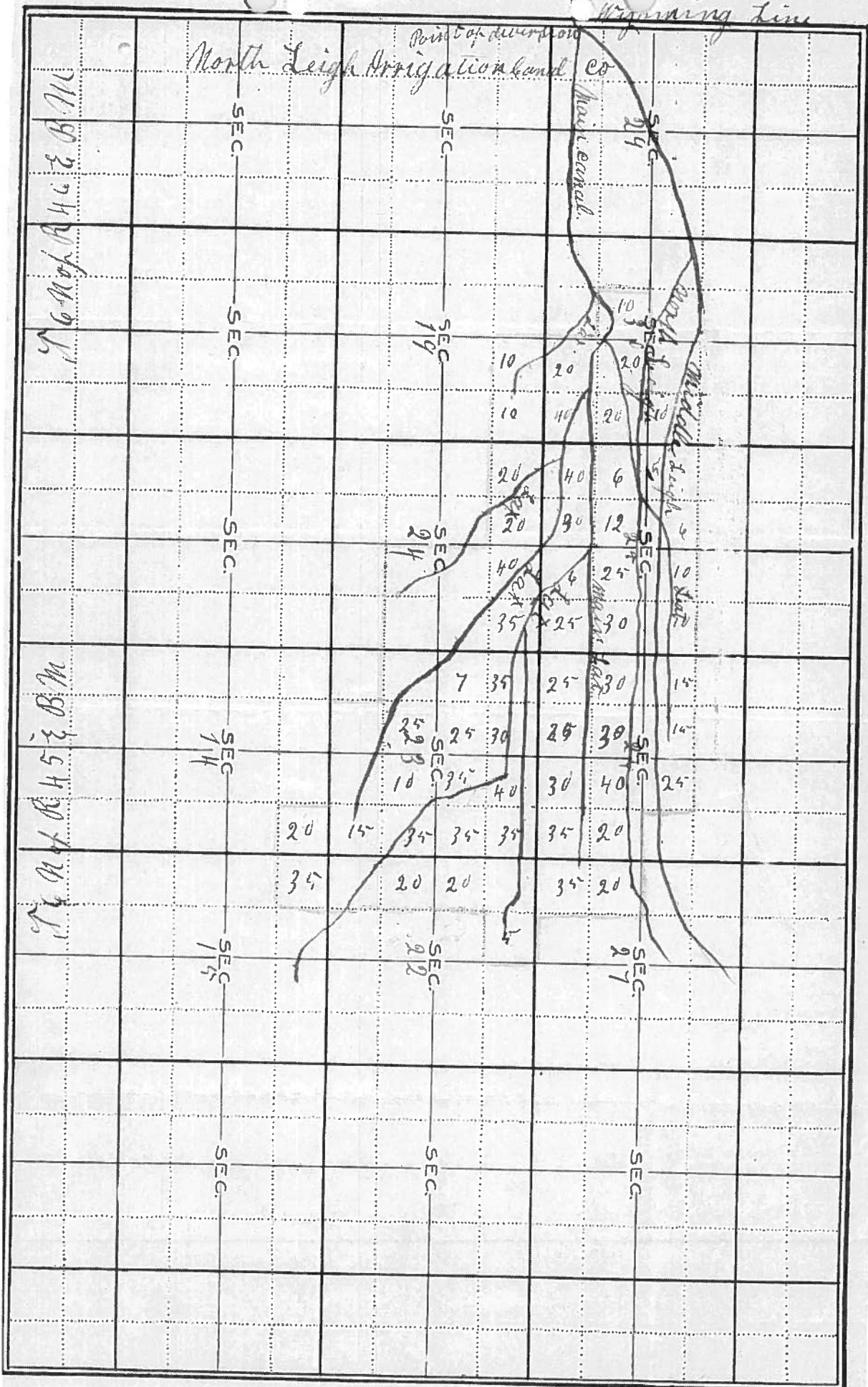
Township No. 6 N

Range No. 46 E. B. M.

[illegible]

Melospiza melodia





Jan. Thompson

SEC. State Engineer. SEC.

State Engineer.

13454

Printed and for sale by the Statesman Printing Co., Boise, Idaho.

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

North Leigh Creek *
Fremont County *
24 second foot *
Irrigation and domestic *
Priority 1-20-1908 *

S T A T E _ O F _ I D A H O _

Water License No. 3454

WHEREAS, On the 20th day of January, A.D. 1908, THE NORTH LEIGH CANAL COMPANY, LIMITED, of Clawson, County of Fremont, State of Idaho, duly made application (No. 4755) to me for a permit to use 24 cubic feet per second of the waters of North Leigh Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 28th day of February A.D. 1908, Permit No. 3454, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 28th day of February, A.D. 1909, and for the application to beneficial use of said water on or before the 28th day of February A.D. 1910, and

WHEREAS, On the 25th day of November, A.D. 1908, THE NORTH LEIGH CANAL COMPANY, LIMITED, the holder of said permit duly made proof of the completion of adequate works for the diversion of 24 cubic feet per second of said waters, as evidenced by my Certificate No. 3454, dated March 9, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 24 cubic feet per second of the waters of North Leigh Creek, with date of priority of January 20, 1908, and

WHEREAS, On the 25th day of November A.D. 1909, THE NORTH LEIGH CANAL COMPANY, LIMITED, the holder of said permit duly made proof of the application to beneficial use of 24 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to THE NORTH LEIGH CANAL COMPANY, LIMITED, of Clawson, County of Fremont, State of Idaho, the holder and owner of said Permit No. 3454, a perpetual right, dating from January 20, 1908, to the use of 24 cubic feet per second of the waters of North Leigh Creek, in the County of Fremont, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the northeast corner of the northeast quarter of Section 29, Township 6 North of Range 46 East of the Boise Meridian, and conducted to and upon the Northwest quarter Section 30, Southwest quarter of southwest quarter of section 19, township 6 North of Range 46 East of the Boise Meridian, North half of Section 25, North half of southeast quarter, north half of southwest quarter; section 25, North half of Section 26, North half of southeast quarter, northeast quarter of southwest quarter section 26; East half of Northeast quarter of Section 27, Southeast quarter of northeast quarter Section 22, Southeast quarter of southeast quarter of section 15, southwest quarter of southwest quarter of section 14, West half of section 23, Southwest quarter of northeast quarter, southeast quarter of section 23, south half of Northwest quarter, southwest quarter South half of southeast quarter of section 24, township 6 North, Range 45 East Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of

Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office, at Boise, Idaho, this 9th day of March, A.D. Nineteen hundred and ten.

Jas. Stephenson, Jr.,
State Engineer

(SEAL)

Recorded March 9, 1910.

22-2029

No. 4755.

22-2029

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: North Leigh Irrigation Canal Co. Ltd.

Postoffice address: Clawson.

County: Fremont State: Idaho.

I. If applicant is a corporation give:

(a) Date and place of incorporation: Oct. 10, 1903 Leigh, Ida.

(b) The amount of capital stock: \$10,000.00

(c) The amount paid in: fourteen hundred \$1400.00 dollars.

(d) The names and addresses of directors: Alfred Hansen, H. D. Fullmer, Frank Hubbard
Abner McFerson, James D. Henrie, Clawson Fremont Co., Idaho.

2. The quantity of water claimed is twenty four (24) cubic feet per second.

3. Source of water supply: North Leigh creek.

County of Fremont.

4. Location of point of diversion: NE corner of NE4 29 T. 6 N. R. 46 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: twenty-five hundred (2500) acres.

(b) In the following legal subdivisions: N $\frac{1}{2}$ sec. 30 NW4 SW4 sec. 30 S $\frac{1}{2}$ S74 sec. 19 T
6 N. R. 46 E. B. M. N $\frac{1}{2}$ of sec. 25 NE4 SE4 of sec. 25 N $\frac{1}{2}$ SW $\frac{1}{2}$ of sec. 25, N $\frac{1}{2}$ S $\frac{1}{2}$ SE4
of sec. 26 N $\frac{1}{2}$ NE4 of sec. 27, S $\frac{1}{2}$ SE $\frac{1}{2}$, NE4 SE4 of sec. 22 E $\frac{1}{2}$ NE4 of sec. 22 SE4 SE4
of sec. 15 SW4 SW4 of sec. 14 NW4, SW4, SE4, S $\frac{1}{2}$ of NE4, NW4, NE4 of S 23 SW4, S $\frac{1}{2}$ NW4
S $\frac{1}{2}$ SE4 S 24 T. 6 N. R. 46 E. B. M.

6. Estimated cost of works: two thousand (\$2000.00) dollars.

7. Description of works for diversion:

I. Kind of works: dam, ditch, flume.

II. Dimensions of works:

(a) Height of dam four feet, length of dam at top forty feet, length of dam at bottom
thirty feet. Material used in construction: wood, earth, stone.

(c) Size of headgate: Width nine feet, height five feet.

(d) Conduit ditch, width at bottom six feet, width at water line eight feet, depth of
water three feet. Length of conduit is four miles and it crosses the following
quarter sections: see under Remarks to land described in 5 I (b) above which is
the point of intended use.

8. Time required for the completion of the construction of such work is one year.

9. Time required for the complete application of the water to the proposed use is one
additional years.BE IT KNOWN That the undersigned hereby makes application for a permit to appro-
priate the public waters of the State of Idaho as herein set forth.

JAMES BUREAU (SST, DIST. FEB. 7, 1908)

POWERED BY A P.T.O. CO., TACOMA, WASH.

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 22-2029E
DATE RECEIVED: 11/28/2006
RECEIPT No:
RECEIVED BY: *DK*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME OF CLAIMANT(S)

DENNY THOMAS PHONE: (208) 456-2381

732 N 50 W
TETONIA ID USA 83452

2. DATE OF PRIORITY: 01/20/1908

3. SOURCE: NORTH LEIGH CREEK TRIB. TO: SPRING CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY	TYPE
06N	46E	29	NW	NE	TETON	

5. DESCRIPTION OF DIVERTING WORKS:

NORTH LEIGH CANAL

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	To	C.F.S.	(OR) A.F.A
IRRIGATION		04/15	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
06N	45E	22	NE	SE	IRRIGATION	18
					SECTION ACRES	18
06N	45E	23	NE	SW	IRRIGATION	18
			NW	SW	IRRIGATION	20
					SECTION ACRES	38
					TOTAL ACRES	56

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:

15. BASIS OF CLAIM: LICENSE

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): *Kenny Jones* DATE: 11-28-06

DATE: _____

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

28 OF Nov 2006

Dave Carlson
NOTARY PUBLIC

RESIDING AT *Ruby, Id*

MY COMMISSION EXPIRES 2/26/2008



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-339C

WATER RIGHT NUMBER: 22-339C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DENNY THOMAS 732 N 50 W TETONIA, ID 83452 (208)456-2381

Priority Date: 06/01/1889
 Basis: Decreed
 Status: See Remarks

<u>Source</u>	<u>Tributary</u>
NORTH LEIGH CREEK	SPRING CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

NORTH LEIGH CREEK	L1 (SE1/4NW1/4SE1/4)	Sec. 29, Twp 06N, Rge 46E, 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	22																	18.0	18.0
06N	45E	23									18.0	20.0								38.0

Total Acres: 56

Conditions of Approval:

1. filed on by mistake- renumbered to 22-2029E

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-339C

Claim Received Date: 9/28/1988

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank: