

07/07/2006

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

RIGHT NUMBER: 22-2140

NAME AND ADDRESS: PETER H WRIGHT-CLARK
PO BOX 135
WILSON WY 83014

SOURCE: PEARL CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.810 CFS

PRIORITY DATE: 11/20/1968

POINT OF DIVERSION:
T04N R45E S36 SWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/15	0.810 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T04N R45E S36 NESE 7.30	T04N R45E S36 NWSE	33.00
	40.3 ACRES TOTAL		

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

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

07/07/2006

**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: 22-2140

PETER H WRIGHT-CLARK
PO BOX 135
WILSON WY 83014
Telephone Number: (307)733-3898

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Point of Diversion

2. Describe the changes you wish to make in the proposed recommendation:

It is now, because of the neighbors actions in the pit at the X

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:

12/15/06

SIGNATURE:

Peter H Wright-Clark

Please print your name:

PETER H. WRIGHT-CLARK

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

*Deadline
12-11-06*

jc



Idaho Department of Water Resources

SRBA Recommendation:

22-2140
(Irrigation)

Legend

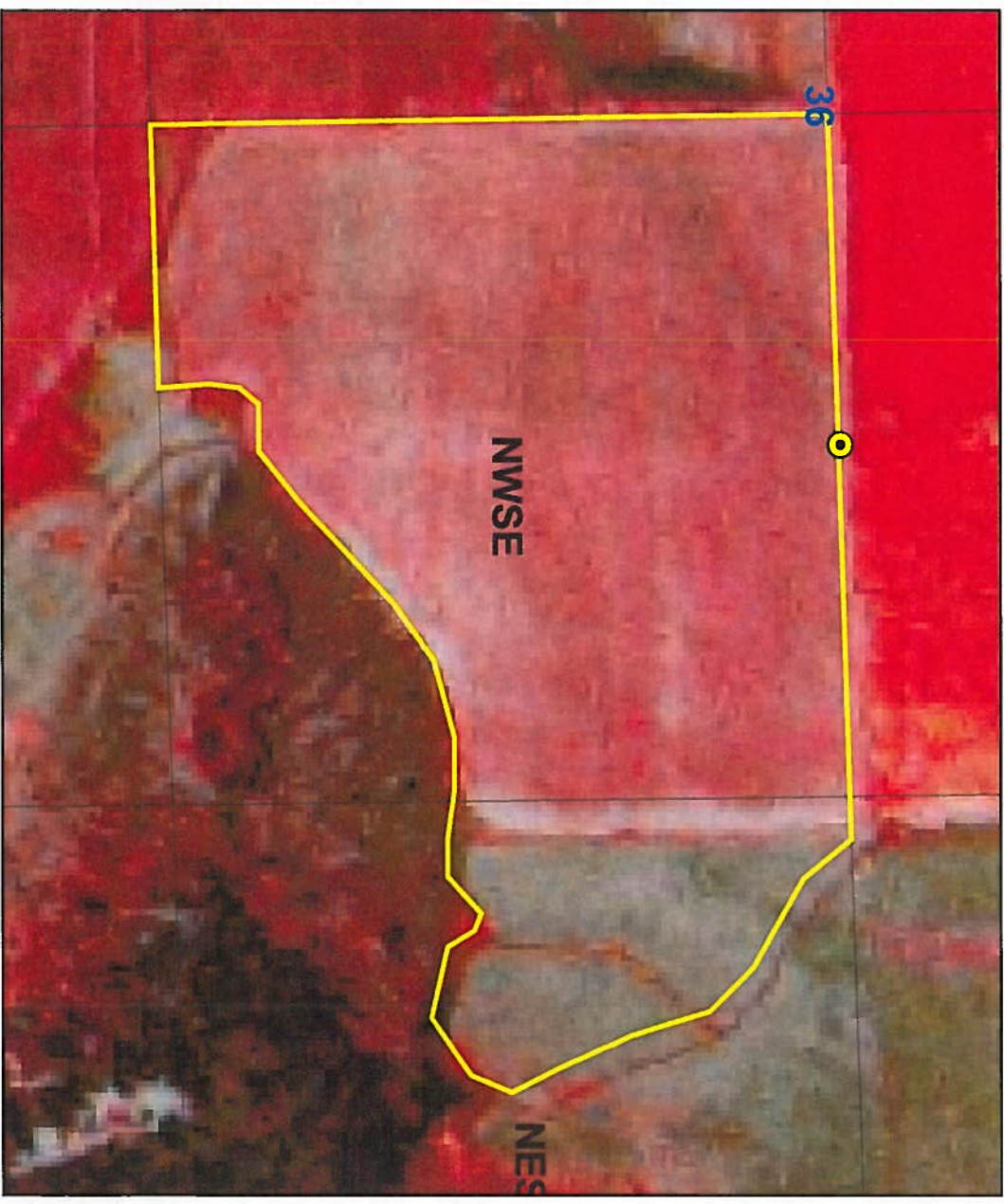
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



T04N



Prepared by T. Galbraith
On Friday, July 7, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 21640/22-2140 Priority Nov. 20, 1968 Amount 0.84 cfs

THIS IS TO CERTIFY, that PETER H. WRIGHT-CLARK
of Wilson, Wyoming, has complied with the terms and conditions of Permit
No. 21640/22-2140 issued pursuant to Application for Permit dated August 7, 1950,
and has submitted proof to the Department of Water Resources on November 24, 1972 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.96 cfs of water from Pearl Creek,
tributary to the Teton River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>Oct. 15</u>	at <u>0.84</u> cfs and	<u>126 acre feet or</u>
	from		<u>3.0 af per acre</u>
	from		

(both dates inclusive)

Subject, however, to the condition that no more than 0.84 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
126 acre feet per year, said waters to be diverted within the SW 1/4 NE 1/4 of Sec. 36,
Twp. 4 N, Rge. 45 E, B.M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N	45 E	36			8														42

Total number of acres irrigated 42

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
July, 19 75.

Director

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Peter H. Wright-Clark
 Post office address P. O. Box 135, Wilson, Wyoming Phone _____
 Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ Pearl Creek
 Tributary to Teton River (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 2.4 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from April 15 to Oct. 15
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4 N N/S, Range 45 E E/W, B.M., Section 36, Subdivision SW 1/4 NE 1/4 Teton
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County _____

Other Points of Diversions: _____

Description of diverting works: small dam & ditches

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N	45 E	36			40					20					20	40			120

TOTAL ACREAGE 120

Permit No. 21640/22-2140
 Examination for b/u

R. 45 E

T.
4
N

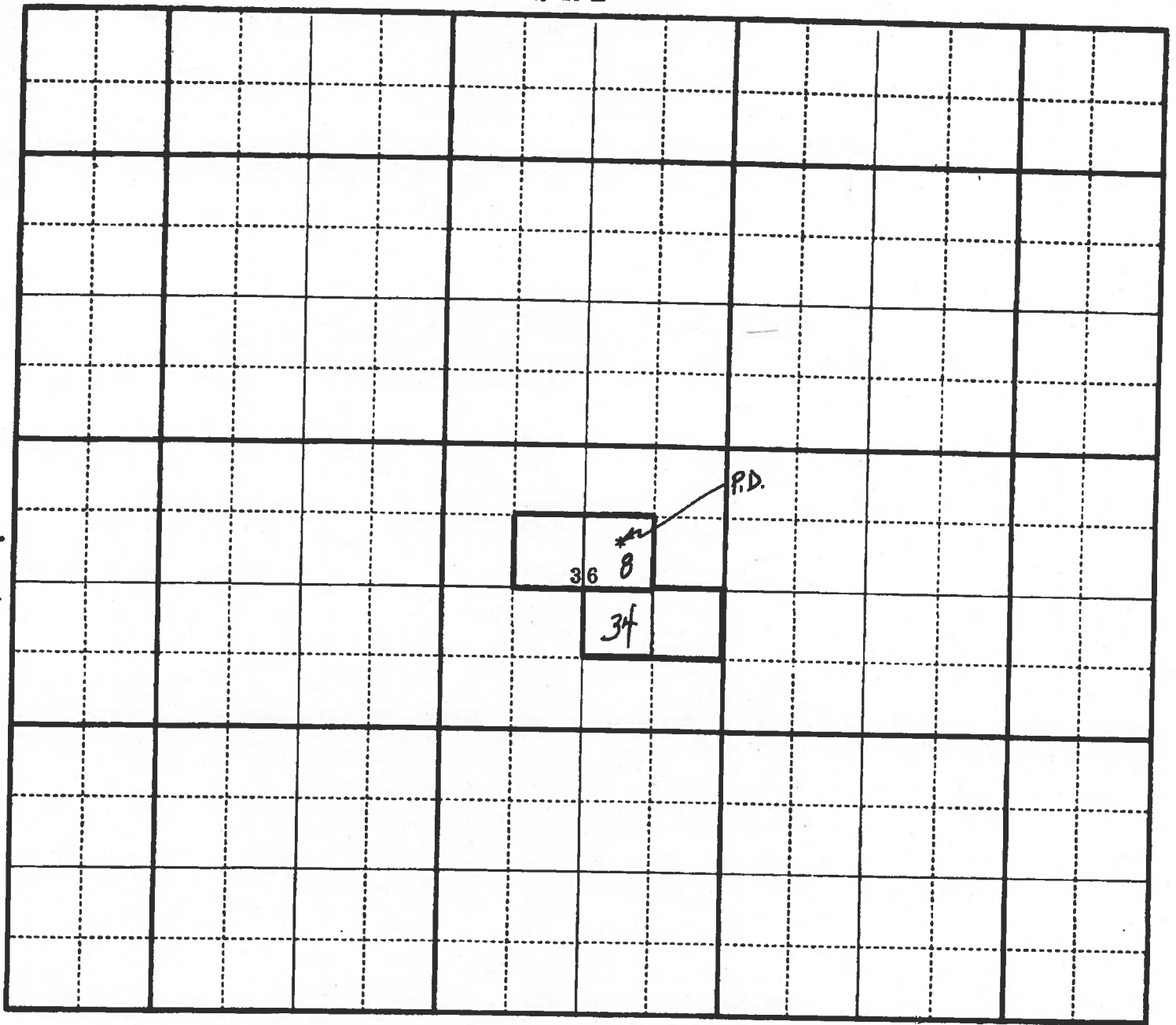
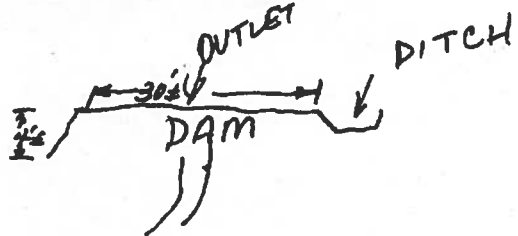
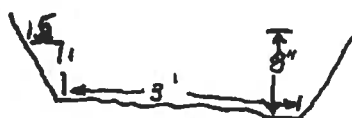


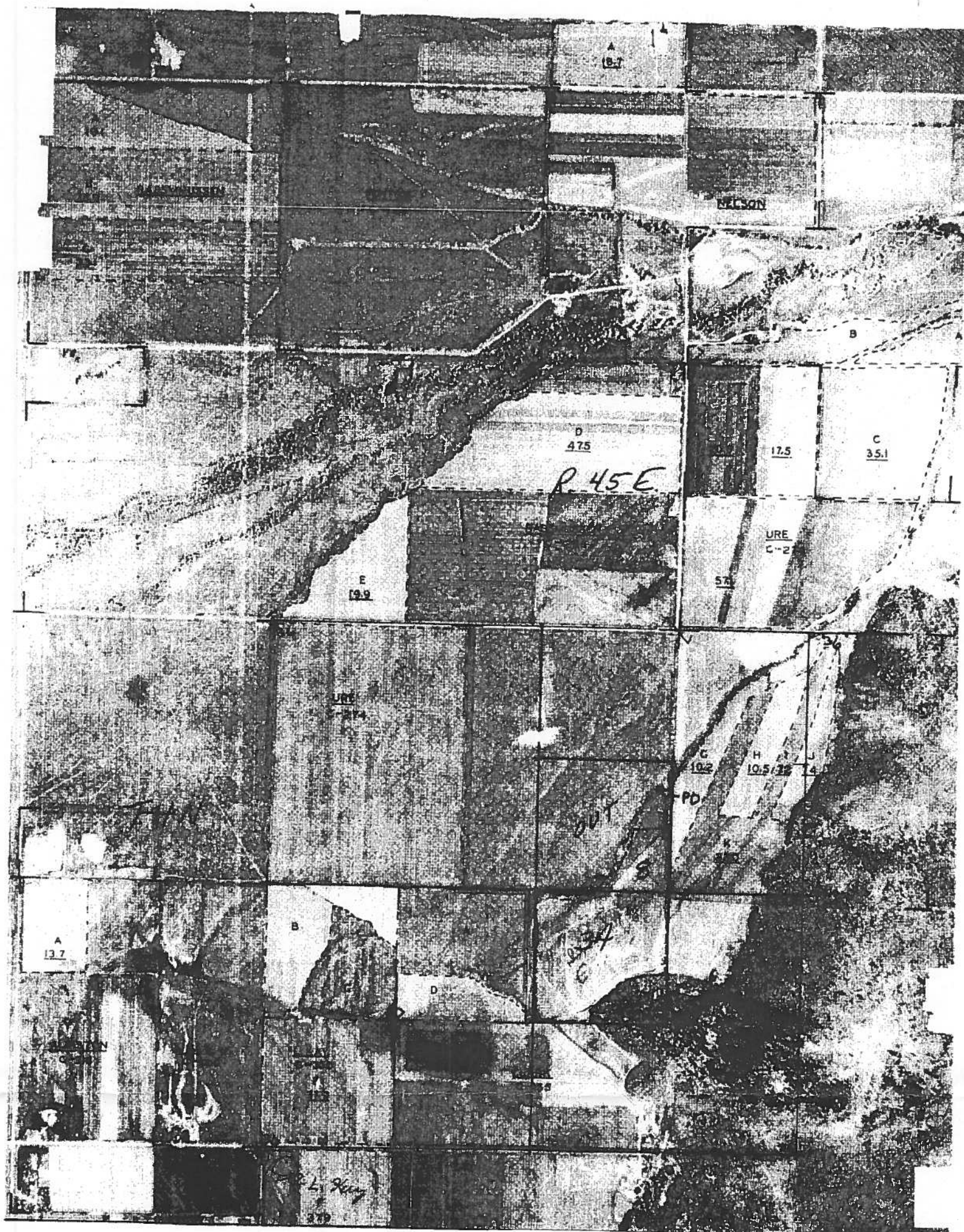
Diagram of System

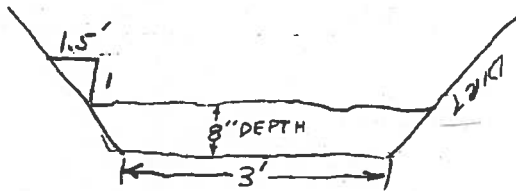


FRONT VIEW FROM SOUTH

X section of ditch at dam







X section of ditch
0.25% slope

$$n_{\text{Rough Ditt}} = .025$$

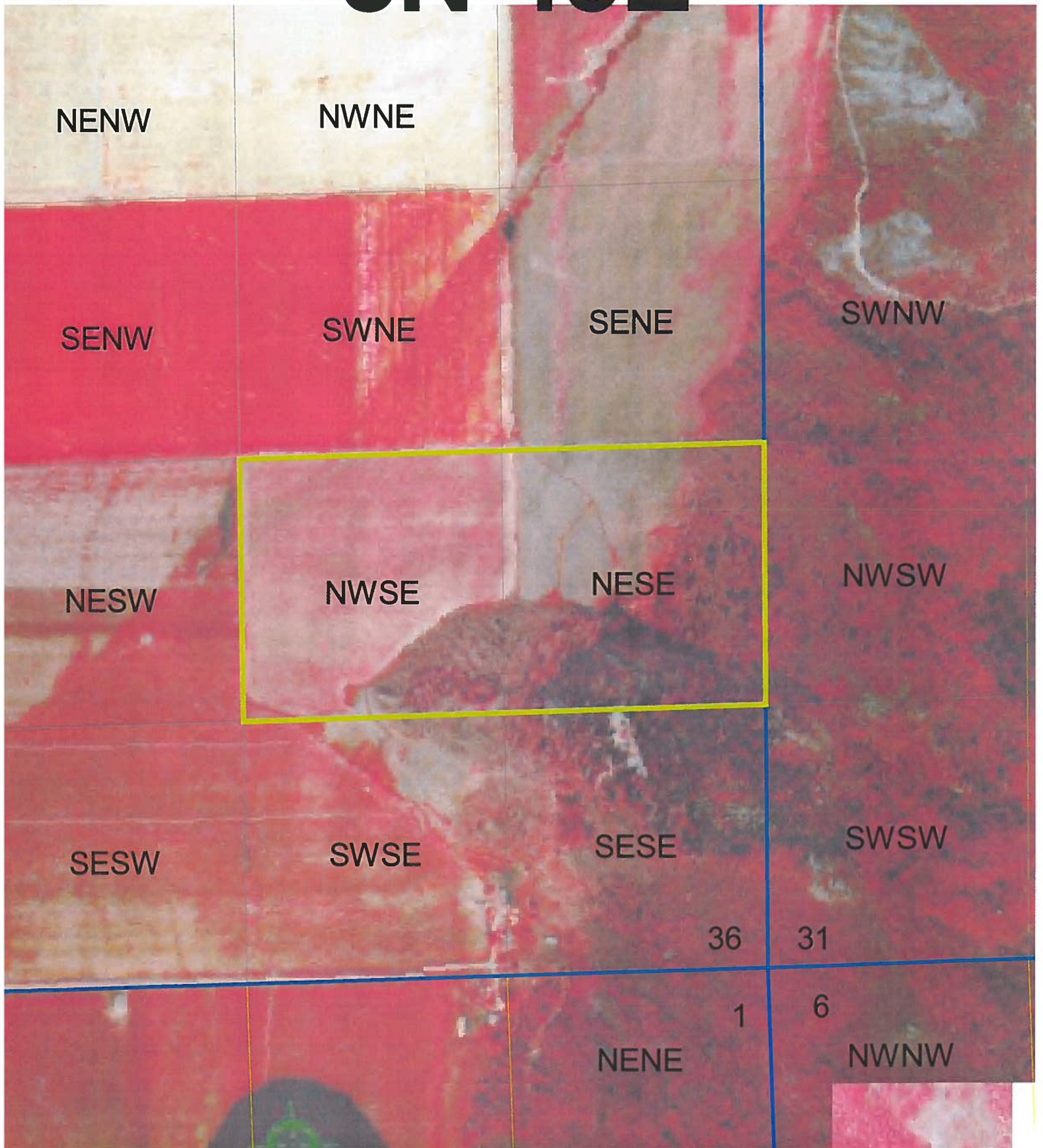
$$R = \frac{A}{P_w} = \frac{2.67}{5.40} = .494$$

$$Q = \left(\frac{1.49}{.025} \right) (2.67) (.494^{.67}) \sqrt{.0025} = 4.96 \text{ CFS}$$

LA Feb 5, 1975

22-2140

5N 45E





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2003

PAM WASCHER
TETON VALLEY GOLF ASSN
PO BOX 209
SWAN VALLEY ID 83449-0209

RE: CHANGE IN WATER RIGHT OWNERSHIP 22-2140

Dear Ms. Wascher:

I am returning the above referenced request because the place of use described on adjudication claim 22-2140 does not include the land you purchased in the SWNE of Section 36. Although this acreage is covered by the license, it was claimed in the NESE of Section 36. The enclosed map illustrates this discrepancy.

I cannot assign the golf course a portion of claim 22-2140 until it is amended to include the SWNE. If you can get written permission from the current owner of the NESE to remove the water from claim 22-2140, the claim can be amended back to the licensed place of use, at which time you may resubmit your ownership change.

If you have questions about this matter, please do not hesitate to call.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

18.7

URE
C-273

NELSON

B

D
47.5

17.5

C
35.1

R. 45 E

BASSMUSSEN
C-288

URE
C-274

57

19.9

URE
C-274

Licensed Acres

FHN

OUT

PD

8

A
13.7

Claimed Acres

34

8

ALBISTON
C-314

URE
C-274

L. RAY
C-300

17.9

CLARK
C-355

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: A22-02140

Date Received: 9/29/1988

Receipt No: ~~E003023~~ E003023 ✓

Received By: ARM

OCT 7 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETER H. WRIGHT-CLARK
Address: P. O. BOX 135
WILSON, WY

307-733-3898

83014

2. Date of Priority: NOV 20, 1968

3. Source: PEARL CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	45E	36	SW		NE		TETON

5. Description of diverting works:
DAM WITH DITCH FOR IRRIGATION AND STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.840		

7. Total Quantity Appropriated is:
0.840 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 84.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	36	NE	SE		IRR	8.0
			NW	SE		IRR	34.0
Section Acres							42.0

A22-02140

Page

1

Date: 09/29/88

A2202140



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Total Acres 42.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21640

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: 1

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): *Paul H. Knight Clark* Date: 9/29/88
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of Sept 19 88

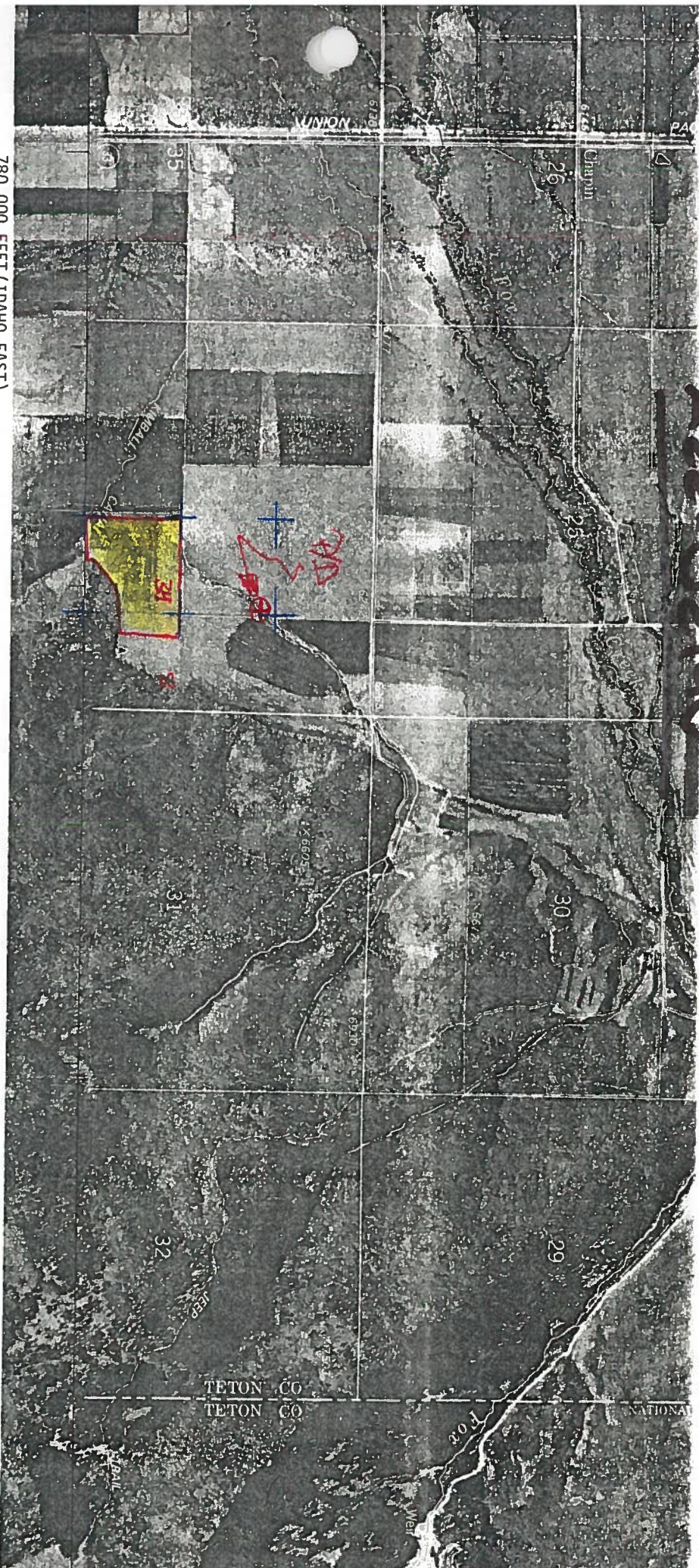
Paul H. Knight Clark
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9-12-94

A22-02140



780 000 FEET (IDAHO EAST)

Published by the Geological Survey
with the U.S. Forest Service

prepared from 1:80,000-scale
aerial photography taken
between September 2, 1974

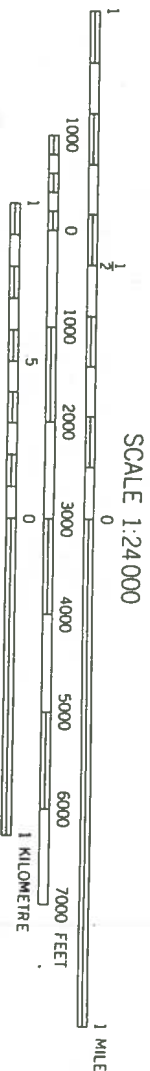
Coordinate system, east zone

based on Idaho coordinate system,
a coordinate system, 4 west zone
Universal Transverse Mercator grid ticks,
with American datum

transformed by scanning techniques
a double or mismatched images;
image positions for map point.

as pursuant to
the Snake
and a legal
reproduction
of the accuracy.

NORTH



T4N R4SE 36

Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho