

06/20/2006

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

RIGHT NUMBER: 22-13013
NAME AND ADDRESS: Lyla H Howell
PO BOX 185
TETONIA ID 83452

DARREL H HOWELL
PO BOX 185
TETONIA ID 83452

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
QUANTITY: 0.110 CFS
PRIORITY DATE: 09/01/1898
POINT OF DIVERSION:

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	0.110 CFS

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S24 SESW 4.00

4 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 - Decreed

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

Water is delivered through North Leigh Canal.

This right is a combination of portions of old Right Nos 22-289 and 22-290

02/17/2005

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: 22-13013

LYLA H HOWELL

PO BOX 185

TETONIA ID 83452

Telephone Number: ~~(208) 456-2808~~ 208-456-2284

DARREL H HOWELL

PO BOX 185

TETONIA ID 83452

Telephone Number: ~~(208) 456-2808~~ 208-456-2284

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

NONE

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

NONE

3. Give a brief explanation as to why you disagree with these portions:

NONE

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

DATE: 6-13-05

SIGNATURE:

Darrel Howell

Lyla H Howell

Please print your name:

DARREL H HOWELL

Lyla H Howell

IDWR Regional Office,

Change of ~~signature~~ Complete 6/21/05

RECEIVED

JUN 20 2005

Department of Water Resources
Eastern Region

PROFILED

SCANNED

JUN 21 2005

KMT
6/21



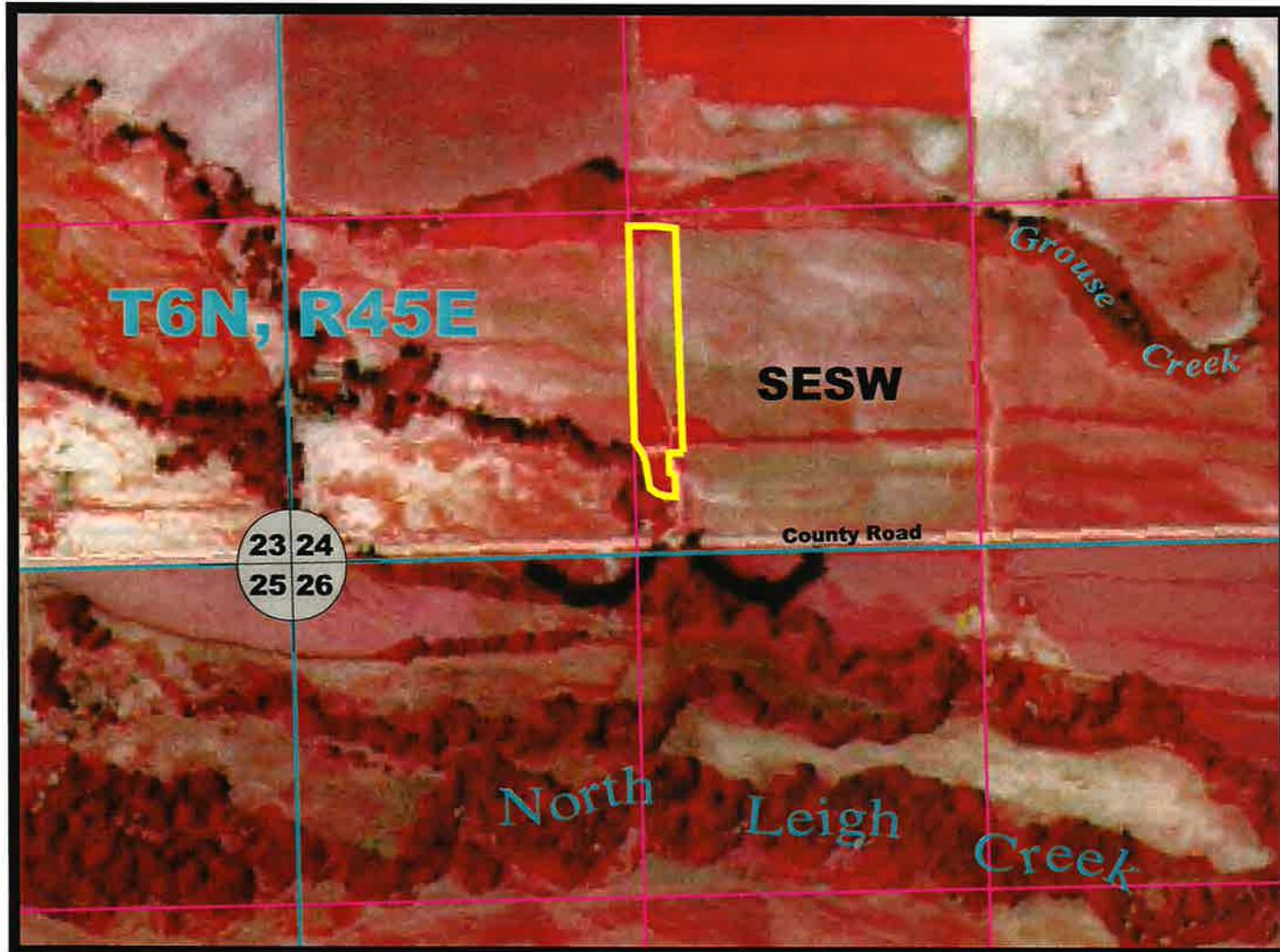
SCANNED

PROTECTED

State of Idaho

Department of Water Resources

Eastern Region



250 0 250 500 750 1000 1250 1500 1750 2000 2250 2500 2750 3000 3250 3500 3750 4000 Feet

Water Right(s):
22-13013

Point(s) of Diversion:
T6N, R46E
Sec. 29 NENWNE (L1)

Place of Use: (part of)
T6N, R45E
Sec. 24 SESW

Delivery by North Leigh Canal
Wyoming diversion:
T4SE R118W Sec. 32 NESENW (L2)

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2005

Wilson, William; June 1, 1898; Trail Creek	160
arsen, A. C.; June 1, 1898; Darby Creek	40
South Leigh Creek Canal Co.; June 1, 1898; South Leigh Creek	400
ones, Edward L.; June 1, 1898; Canyon Creek	140
Johnson, Joseph A.; June 1, 1898; Trail Creek	135
ill, Hyrum S.; June 2, 1898; North Leigh Creek	100
ill, D. B.; June 2, 1898; Wyoming & Darby Bench Canal Co.	160
ill, Joseph Y.; June 2, 1898; North Leigh Creek	160
akin, G. A.; June 15, 1898; Badger Creek	150
endrickson, Cornelius; June 30, 1898; Badger Creek ..	130
arbet, Albert; July 7, 1898; Darby Creek	160
arbet, Willard; July 7, 1898; Darby Creek	160
irslev, Edwin N.; July 15, 1898; Pine Creek	60
an Alfred; Sept. 1, 1898; North Leigh Creek	120
am, ux, Francis A., and Ann; May 1, 1898; South Leigh Creek	75
endrickson, G. W.; May 15, 1899; South Leigh Creek	100
ordval, C.; May 26, 1899; Darby Creek	110
herson, Neils; June 1, 1899; South Leigh Creek	30
orrowman, John; June 1, 1899; Wood Creek and Springs	80
arker, B. F.; June 1, 1899; Fox Creek	75
endleton, Abraham; June 1, 1899; North Leigh Creek ..	80
immons, John; June 1, 1899; North Leigh Creek	60
oulcey, C. V.; June 1, 1899; Darby Creek	60
mith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	80
heser, William; June 1, 1899; Badger Creek	10
tewart, Thompson; June 1, 1899; Badger Creek	50
Williams, Charles; June 1, 1899; South Leigh Creek ..	100
lochstrasser, N. W.; June 1, 1899; Badger Creek	110
rice, J. W.; June 1, 1899; Teton Creek	80
ouche, Jacob; June 1, 1899; North Leigh Creek	35
riestly, W. W.; June 1, 1899; Badger Creek	60
ouche, Jacob; June 1, 1899; North Leigh Creek	160
er, kson, Milton; June 1, 1899; Badger Creek	100
ul, Buckley; June 1, 1899; North Leigh or Spring Creek	75
Seasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	70
ernston, Richard; June 1, 1899; Badger Creek	160
anderson, Charles; June 1, 1899; Teton Creek	40
airbanks, D. M.; June 1, 1899; Teton Creek	160
endrickson, William; June 15, 1899; Badger Creek ..	120
etham, P. D.; July 15, 1899; Swamp	140
andolph, Frantz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	160
Eynon, Rufus; Apr. 1, 1900; Trail Creek	80
Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	160
Allen, George W.; May 26, 1900; Mahogany Creek	220
Jarrington, Enock; May 26, 1900; Mahogany Creek	160
Bush, George W.; June 1, 1900; Fox Creek	120
Hegsted, Victor; June 1, 1900; Horse Shoe Creek	160
Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

200 Herendeen, W. K.; June 1, 1900; Darby Creek	80
200 Henrie, Joseph O.; June 1, 1900; North Leigh Creek...	40
200 Henrie, John; June 1, 1900; North Leigh Creek	10
200 Ricks, Wallace; June 1, 1900; North Leigh Creek	110
200 Rammell, George; June 1, 1900; Badger Creek	40
200 Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200 Homer, Benjamin P.; June 1, 1900; Mahogany Creek...	200
200 Hochstrasser, R. H.; June 1, 1900; Badger Creek	20
200 Sautler, John G.; June 1, 1900; North Leigh Creek	50
200 Simmons, John; June 1, 1900; North Leigh Creek	40
200 Morris, William L.; June 1, 1900; Garner Creek and Trail Creek	110
201 Leighs Creek Canal Co.; June 16, 1900; South Leigh Creek	2,900
203 Hendrickson, Adolphus; July 5, 1900; Badger Creek...	100
204 Letham, P. D.; July 15, 1900; Swamp	120
206 Bagshaw, Ellen; Aug. 15, 1900; Pine Creek	30
208 Hill, John W.; Oct. 1, 1900; Pack Saddle Creek	160
211 Island Ward Canal Co., Ltd.; Jan. 23, 1901; North Fork of Teton River	5,000
212 Hague, William A.; Mar. 25, 1901; Teton River	100
213 Bevan, Maria; Apr. 6, 1901; Swamp Creek	80
215 Hendrickson, G. W.; June 1, 1901; North Leigh Creek	60
215 Priestly, W. W.; June 1, 1901; Little Badger Creek	160
215 Mickelson, Peter; June 1, 1901; South Leigh Creek ..	140
215 Smith, D. G. S.; June 1, 1901; Spring	20
215 Waterman, L. C.; June 1, 1901; Little Dry Creek	40
215 Simmons, John; June 1, 1901; North Leigh Creek	60
215 Johnson, James W.; June 1, 1901; Moody Creek	40
To be reduced to 20 inches after June 20th of each year	20
215 Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215 Hill, Joseph S.; June 1, 1901; Pack Saddle Creek	160
218 Hatch, Lamoine; Sept. 1, 1901; Spring Creek	40
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	20
228 Shirts, Wallace; May 15, 1902; Trail Creek	40
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	2,700
229 Haden Canal Co.; June 1, 1902; Badger Creek	930
229 Rammell, George; June 1, 1902; Badger Creek	40
229 Rammell, C. H.; June 1, 1902; Badger Creek	30
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	160
229 Wood, Frank; June 1, 1902; Badger Creek	120
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	60
229 Morris, Samuel; June 1, 1902; Trail Creek	30
229 Larsen, A. C.; June 1, 1902; Darby Creek	80
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	60
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229 Sheser, William; June 1, 1902; seepage water in springs on place	150
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	40
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	120
241 McNally, Gilbert; May 1, 1903; Trail Creek	40
242 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	2,000
For reservoir purposes between the 15th day of March until the 15th day of June of each year....	

SCANNED

APR 07 2005

PROFILED

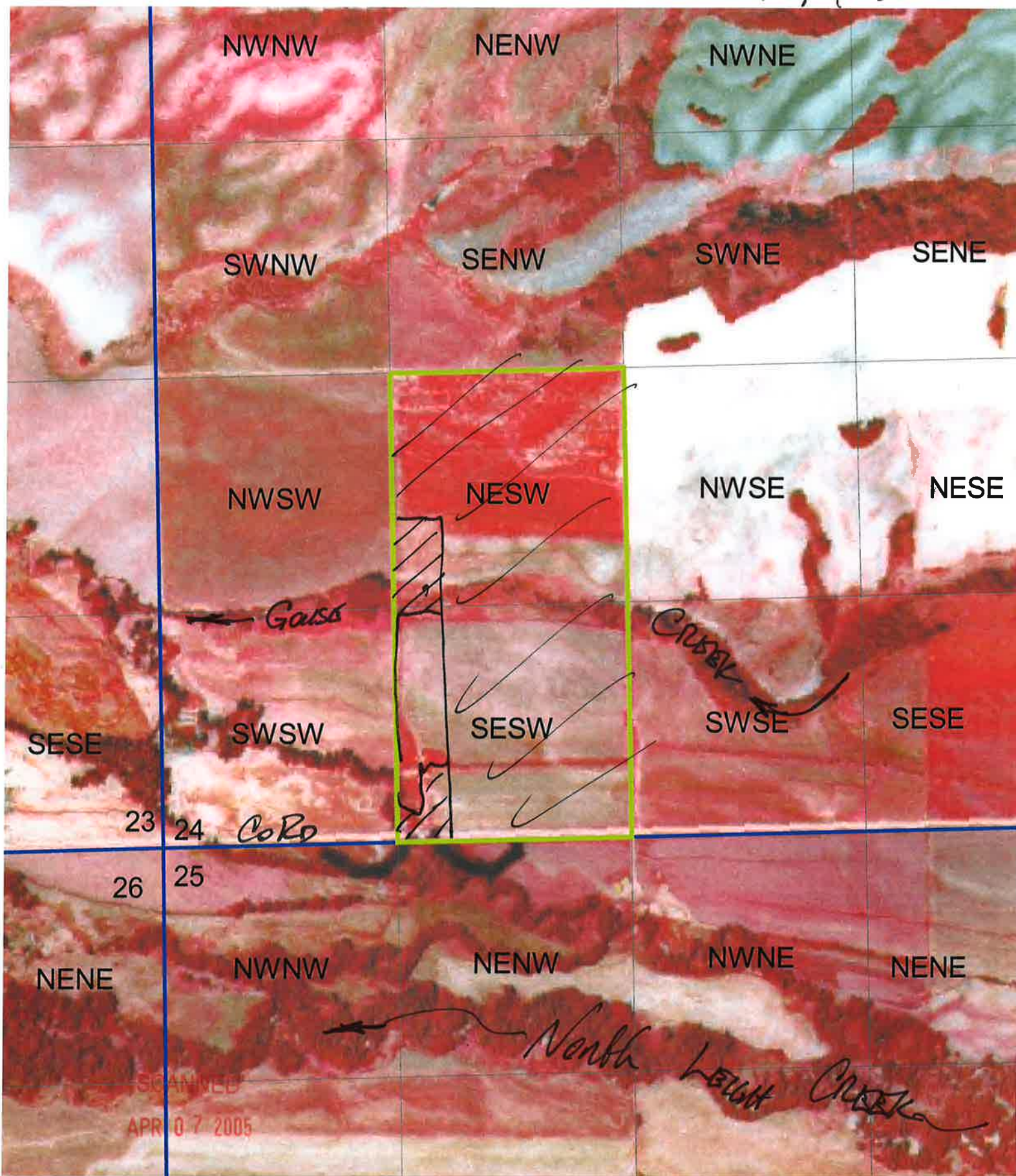
PROFILED

22-13013

SCANNED

APR 07 2005

9/20/04 ABR





HEADGATE NORTH LEIGH CANAL. WYOMING DIVERSION AT;

T. 45N. R. 118W. SEC. 32 SE NW (42)

NORTH LEIGH CREEK - GPS TAG # A0014298

TRIB. TO SPRING CREEK

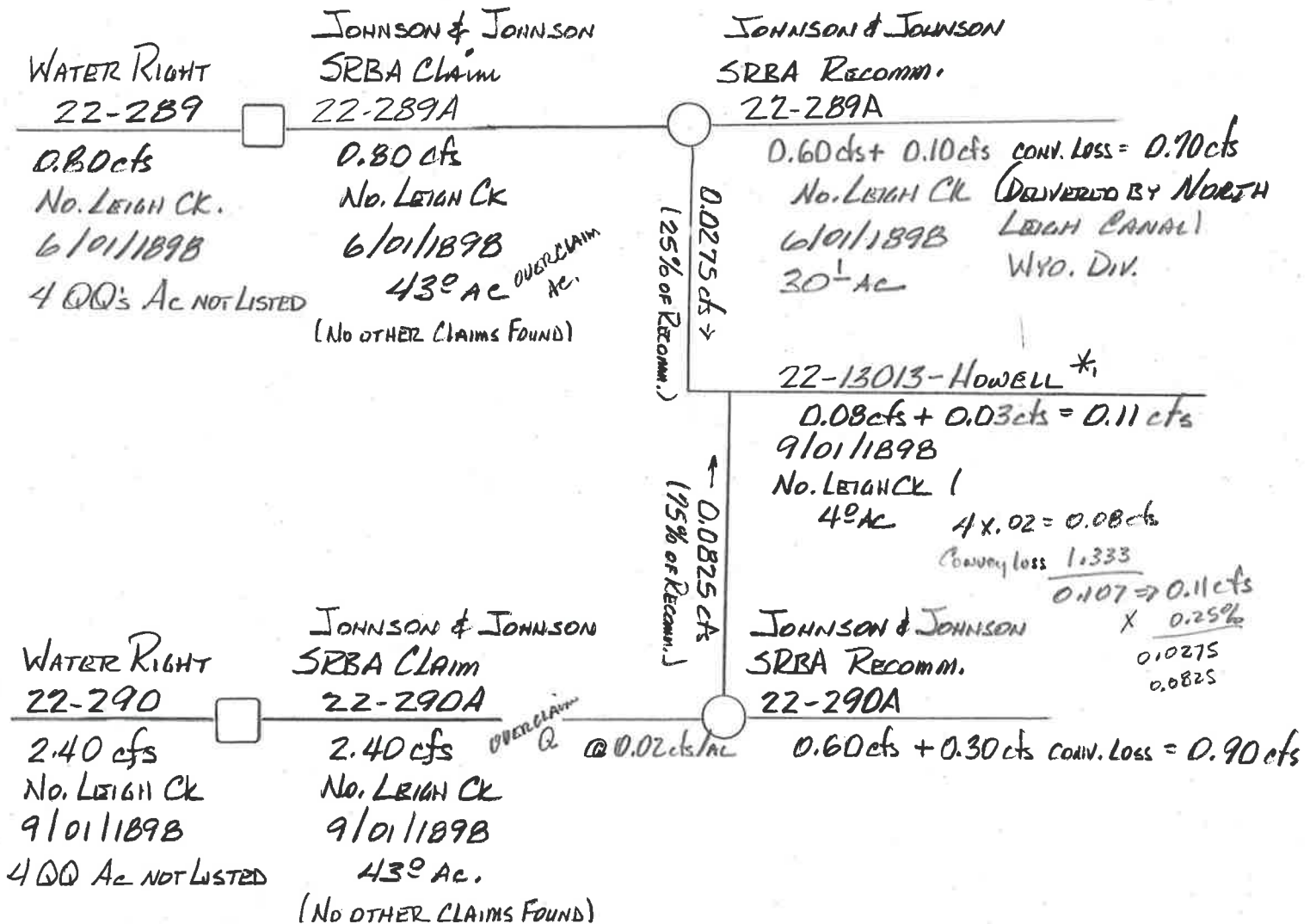
SCANNED

APR 07 2005

7/28/04 ABR

PROFILED

Water Right and SRBA Split History Analysis



NOTES:

1. NO NOTES ABOUT HOW THIS RT WAS COMBINED USING PARTS OF 22-289 AND 22-290. THE RECOMMENDATION IS BASED ON A SPLIT BY PROPORTION OF ACRES ALLOWING A CONVEY LOSS FOR THE CANAL DELIVERY.
2. ALL RTS SHOWN HERE ARE DELIVERED BY No. LEIGH CANAL.

Reviewer: _____
mydoc/fieldexamforms/splitlithistory

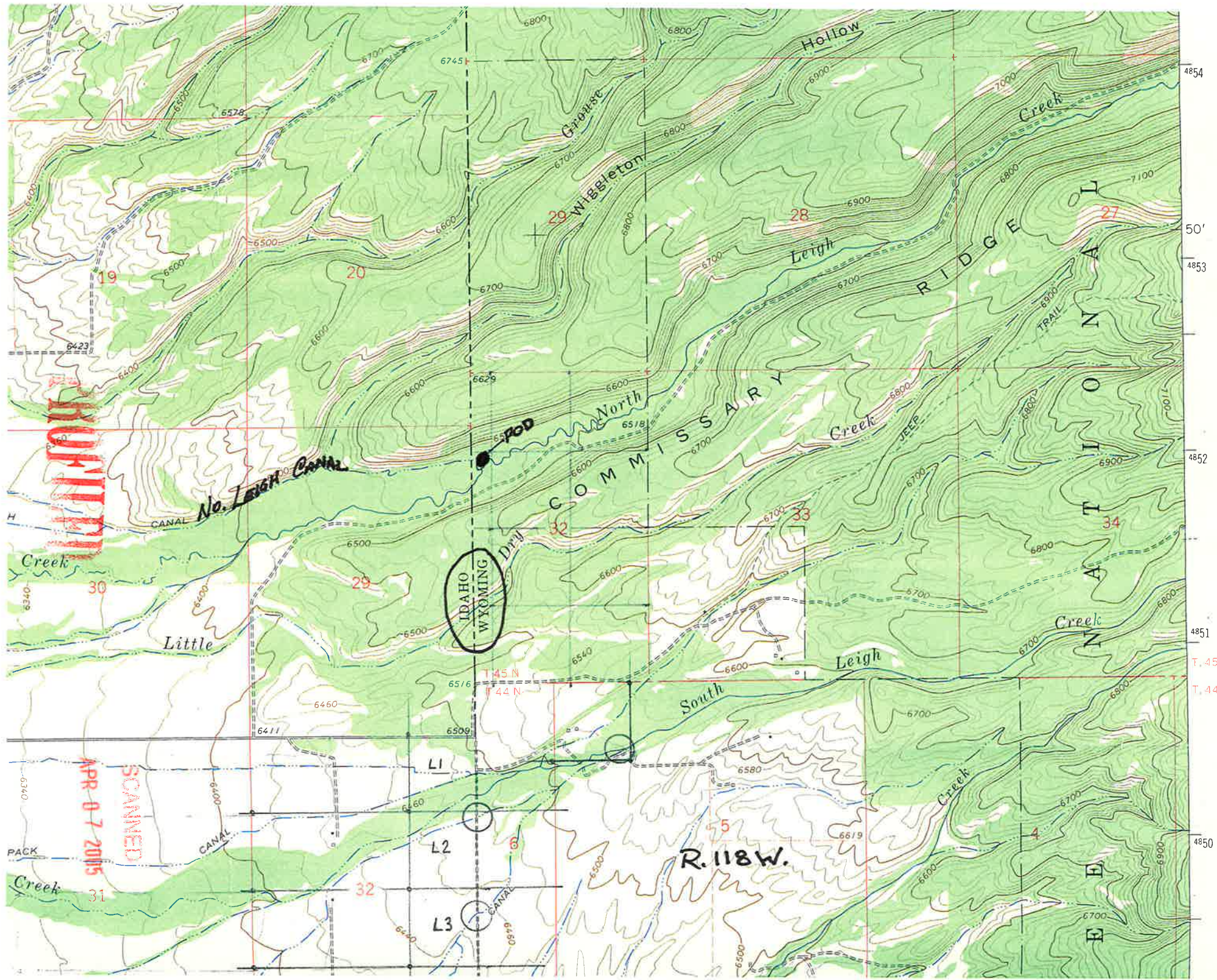
Date: _____

3. NO KNOWN TRANSFERS. NO KNOWN OTHER CLAIMS ON 22-289 OR 22-290.

PROFIT

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SCANNED
APR 07 2015

No. Leigh Canal

Wiggleton

Hollow

Creek

RIDGE

TIO N A

COMMISSARY

Dry

IDAHO
WYOMING

South

R. 118 W.

Little

Creek

T. 45 N.
T. 44 N.

4850

4851

4852

50'

4854

L1

L2

L3

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Contacts Data Entry Form

Claim Number: 22-13013

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner:	<u>DARREL HOWELL</u>				
Current Owner:					
Current Owner:					

Phone No.:	
Phone No.:	
Phone No.:	

Phone No.:	
------------	--

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

CLAIM COMBINES OLD DECREES (PORTIONS) 22-289 AND 22-290.
 22-289 HAS A PRIORITY DATE 6/01/1898; 22-290 HAS A
 PRIORITY DATE 9/01/1898. IDWR POLICY DICTATES PRIORITY OF
 COMBINED RIGHTS OF DIFFERENT PRIORITIES BE ADVANCED TO THE
 MOST JUNIOR OF RIGHTS PRIORITIES.

DECREED UNDER TOLSON VS TOLSON, 1910:

22-289, 0.80 cts, NORTH LETCH CK, 6/01/1898
 22-290, 2.40 cts, NORTH LETCH CK, 9/01/1898

SRBA CLAIMS:

22-289A, 0.80 cts, No. LETCH CK, 6/01/1898, 43° AC (E² SW, SEC. 24)
 22-290A, 2.40 cts, No. LETCH CK, 9/01/1898, 43° AC (E² SW, SEC. 24)

BOTH ARE CLAIMED BY P.D. JOHNSON, et al.

CLAIMS POL IN NE SW, THERE IS NO CONVEYANCE TO GET
 WATER TO THAT QQ (ITS NO. OF LETCH CK).

POL CLAIMED DIRECTORS BY QQ FROM ORIGINAL POL AS DECIDED

THEN 22-13013 IS SPLIT OFF OF THE ORIGINAL POL. THIS
 CLAIMED POL IS ON EXTREME WEST EDGE OF E² SW SEC. 24 - IT
 IS UNDERSTOOD THEN THAT 22-13013 CLAIM IS A PORTION (COMBINED
 AS ABOVE) OF BOTH 22-289 AND 22-290. THEREFORE 22-289
 AND 22-290 ARE REDUCED ACCORDINGLY.

COND

C45

Reviewer: _____ Date: _____

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APR 07 2005

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 9/1/1889 Claimed Basis: DEEDSRecommended Priority Date: " Recommended Basis: "

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

SEE NARRATIVE ON PAGE 1, CONTACT S.

Reviewer: _____

Date: _____

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02/26/2004

IDWR Field Exam Form

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
6N	46E	29	1	NENWNE	16TH	No. LEIGH CK	SPRING CK

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

THIS RIGHT IS DELIVERED THROUGH
 THIS NORTH LEIGH CANAL. ORIGINATES FROM WYOMING DIVERSION
 AT T. 45N., R. 11BW, SEC. 32 NESENW(L2) (SEE ATTACHED MAP)

RECOMMENDED POD IS IDAHO SIDE OF STAFFORDS

COND

C03

F15

Reviewer: _____ Date: _____

PROFILE

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APR 07 2005

Claim Number: _____

Recommended Place of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
6N	45E	24	S&SW		TETON		3.99	Trail
Total acres							4.0	

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified: *CRS - shows 4th AC claims 7th*

Reviewer: _____ Date: _____

Date:

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Season of Use and Quantity Data Entry Form

Claim Number: _____

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
April	4/1	11/1	0.14	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Aug	4/15	10/31	0.11	

Overall Diversion Rate _____

Overall Diversion Volume _____

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

IDWR STD 5001 4/15-10/31 FOR THIS AREA

* SUB SPILT ANALYSIS Pg FOR CALCS.

Reviewer: _____

Date: _____

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APR 07 2005

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: **A22-13013**
Date Received: 1/24/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DARREL HOWELL
Address: BOX 185
TETONIA ID

208-456-~~2808~~

83452

OR

Name: LYLIA HOWELL
Address: BOX 185
TETONIA ID

208-456-2808

83452

2. Date of Priority: SEP 1, 1898

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	46E	29	NE	NE	NE		TETON

5. Description of diverting works:
HEADWORKS OF NORTH LEIGH CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		

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

A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	24	NE	SW		IRR	1.0

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PROFILE

A2213013



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	24	SE	SW		IRR	6.0
Section Acres							7.0
Total Acres							7.0

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:

14. Remarks:

PAID ON RECIEPT E005594

THIS CLAIM IS A COMBINATION OF A PORTION OF 22-00289, 22-00290

THIS ORIGINALLY WAS FILED AS A22-12502 A PORTION OF 22-00129

AND WAS AMENDED TO THIS RIGHT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED

NOV 07 1990

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APR 07 2005

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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):

Dan Howell

Date: 7-11-96

Date: _____

State of Idaho)

County of

Teton

) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of

July

19

96

Dave Carlson
Notary Public

Seal



Residing at

Bigby, Id

My Commission Expires

2/26/2002

MCRT 185
No.

PROFILED