

11/16/2006

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

RIGHT NUMBER: 22-13016

NAME AND ADDRESS: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
Water is delivered from Middle Leigh Creek.

QUANTITY: 1.480 CFS

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION:
T06N R46E S30 NENWSE 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	1.480 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R46E S30	NESW	22.00	T06N R46E S30 Lot 3 NWSW	24.00
T06N R46E S30 Lot 4 SWSW		32.00	T06N R46E S30	SESW 37.00
T06N R46E S30	NESE	34.00	T06N R46E S30	NWSE 26.00
T06N R46E S30	SWSE	39.00	T06N R46E S30	SESE 39.00

253 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

Right Nos. 22-312, 22-487C, and 22-13016 are limited to the irrigation of a combined total of 253 acres in a single irrigation season.

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.

The portion of Right 22-13016 in excess of Transfer No. 66898 shall be considered abandoned.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right Nos. 22-312, 22-487C, and 22-13016 are also diverted through points of diversion described above.

This right combines portions of old Right Nos. 22-488 and 22-489.

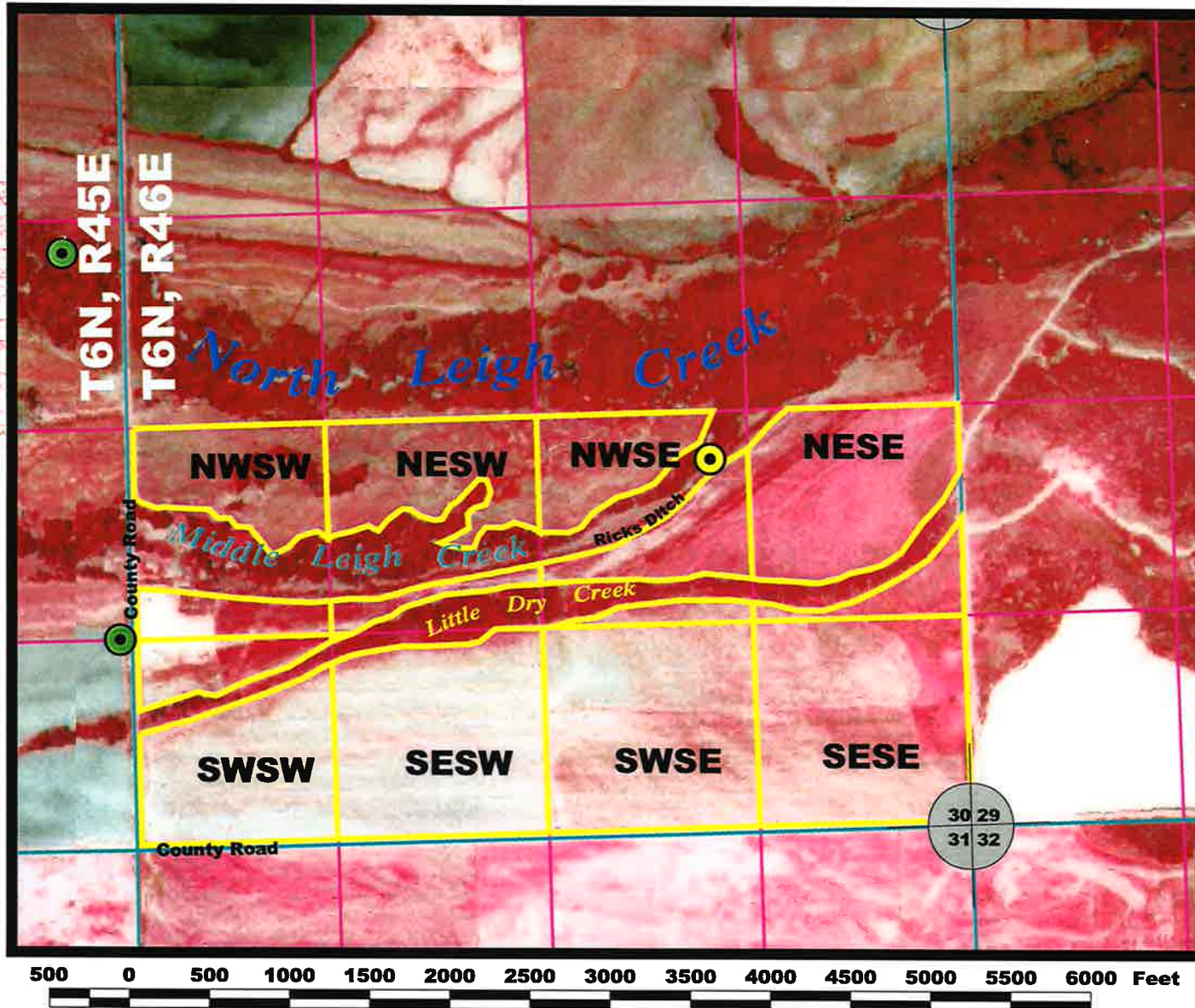


SCANNED
JUN 22 2005

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-312,
22-487C,
22-13016

Point(s) of Diversion:

T6N, R46E
Sec. 30 NENWSE

Place of Use: (parts of)

T6N, R46E
Sec. 30 SW, SE

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: June 2005

DATE: 06/24/99
PAGE: 1

Stage: DECREED

TETON County

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

SCANNED
JUN 22 2005

THE
LIBRARY
OF THE
MUSEUM OF
ART AND HISTORY

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-488

WATER RIGHT NUMBER: 22-488

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SUSAN TWINING PO BOX 101 TETONIA, ID 83452 (208)456-2310
Original Owner	EDMUND S TWINING III PO BOX 101 TETONIA, ID 83452 (208)456-2310

Priority Date: 06/01/1899

Basis:

Status: See Remarks

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.900 CFS	
<u>Total Diversion:</u>		3.900 CFS	

Location of Point(s) of Diversion

NORTH LEIGH CREEK	NW1/4SE1/4NW1/4	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	46E	30																	30.0	30.0	40.0	40.0	140.0

Total Acres: 140

Conditions of Approval:

1.

THIS CLAIM IS BASED ON A COMBINATION OF RIGHTS 22-00488 FOR 0.70 CFS AND 22-00489 FOR 3.20 CFS.

***THIS RIGHT RENUMBERED TO A22-13016. 1-10-97 GJT.**Remarks:

SCANNED

JUN 22 2005

PROFILE

Contacts Data Entry Form

Claim Number: 23-13016

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

Current Owner: Brynd Smith Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

C/O FILDS 9/96

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 ORIGINATES BY COMBINING 22-488(B) AND 22-489(B)
 BOTH RIGHTS WERE DEERED UNDER ROXBURG TRAIL VS TOWN TRAIL, 1910.
 ASI

Rumack
PIS

(22-488) #184, to J. ROUCHE, 0.70 cfs, No Lough Cr., 6/01/1899
 (22-489) #184, to J. ROUCHE, 3.20 cfs, No Lough Cr., 6/01/1899

THE ORIGINAL CLAIM: 22-13016 (RENUMBERED FROM 22-488) COMBINES
 ALL OF 22-488 @ 0.70 cfs AND ALL OF 22-489 @ 3.20 cfs = 3.90 cfs
 CHANGE OF OWNERSHIP, 9/1996, REDUCES @ TO 2.13 cfs (ASI: 0.38 cfs
 FROM 22-488 AND 1.75 cfs FROM 22-489) [NO EXPLANATION HOW OR WHY]

TX #66898, APPROVED 25 OCT 01, ADDRESSES SEVERAL RIGHTS (SUB TX)
 BUT, BY ADDRESSING 22-13016, ONLY 1.48 cfs IS AUTHORIZED:
 CONDITIONS OF APPROVAL #8, ABANDONS THAT PORTION ABOVE 1.48
 cfs AS ADDRESSED BY SRBA CLAIM OF 22-13016 (2.13 - 1.48 = 0.65 cfs
 LOST)



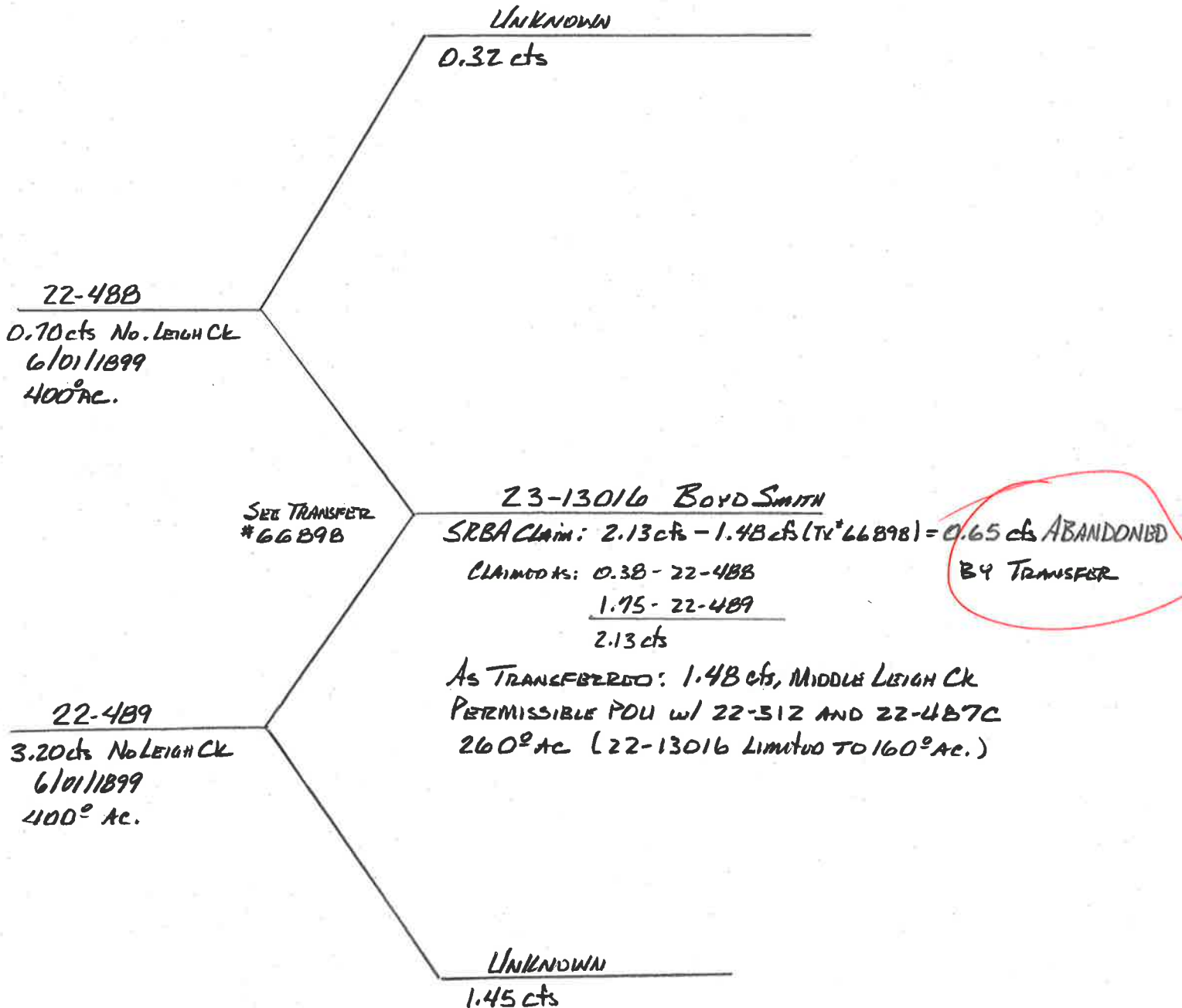
FB: DOES THIS RT WITH 22-312 AND 22-487C COMPLY WITH TX #66898.
 The usual: POD/POU, GPS/Photo, CONVEYANCES/System

Reviewer: _____ Date: _____

SCANNED
 JUN 22 2005

PROFILED

Water Right and SRBA Split History Analysis



SCANNED
JUN 22 2005

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

PROFILED

Water Right No(s). _____

GPS DATA:

Tag # ADP13886 Location: By electricity meter

Diversion Data:

Source: North Leigh Creek Trib to: Teton River

MOTOR

Make: US Electrical Motors Model: 5321A Hp: 75
SN: E03-5321A-M 415

PUMP

Make: National Model: E12HCMC Disch: 8" mainline
SN: 2K1-0039

NOTES:

Intake pipe is in Middle Leigh Creek

Field Exam Date: 8/16/04 Agent: LD

PROFILED



Pump on Middle Leigh Creek - Boyd Smith's Ranch
tag on meter panel.

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JUN 22 2005

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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
6N	46E	29		NW1/4 NW1/4	Teton	Middle Leigh Cr	Teton Riv

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
6N	46E	30		NW1/4	Teton	Middle Leigh Cr	Spring Cr

Other rights from this POD? 22-312 AND 22-487CTransfers Pending or approved: TX #66898 (9/96)Document how the POD and Source were verified:RECOMMENDED POD BY TX #66898 - TX ALSO CHANGES SOURCE TO MIDDLE LEIGH CR.

8/16/04
POD is a pump in Middle Leigh Creek. There is a check dam and intake pipe across the creek. Pump discharges into mainline and pivot, wheel lines and hand lines.

Reviewer: _____ Date: _____

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JUN 22 2005

PROFILED



Water Right(s): _____

NOTES:

PROFILED

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JUN 22 2005

EXAM MAP
Basin 22 Project

Examiner: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	46E	30	SW				113	Range
			SE				140	"

Total acres 253⁰

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	46E	30	SW		Teton		118	Range
			SE				142	

Total acres 260⁰Pending or approved Transfers: TX#66898

Remainder

Overlapping rights: 22-312 & 22-487C

Document how the POU was verified:

This RIGHT IS LIMITED TO 160⁰ AC. BY TX 66898.

Remainder

COMBINED USE: 22-312, 22-487C, 22-13016 COMBINED USE LIMITS TO 2160 ACRES.

EO

8/16/04

With the use of hand lines, wheel lines and
 a pivot the acres claimed can be irrigated,
 pretty effective system,

Reviewer: _____ Date: _____

 SCANNED
 JUN 22 2005

PROFILED

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
<i>Tranig</i>	<i>4/15</i>	<i>10/15</i>	<i>2.13</i>	<i>280</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tranig</i>	<i>4/15</i>	<i>10/31</i>	<i>1.48</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Combined use w/ other Pts Limits to 910AF, 0.02/ac

Reviewer: _____

Date: _____

PROFILED**SCANNED****JUN 22 2005**

PROFITLAND

WATER RIGHT NO. 22-13016
As Modified by Transfer No. 66898

In accordance with the approval of Transfer No. 66898, Water Right No. 22-13016 is now described as follows.

Right Holder: BOYD C SMITH & JILL J SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: 06/01/1899

Source: MIDDLE LEIGH CREEK **Tributary:** TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	1.48 CFS	
			1.48 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MIDDLE LEIGH CREEK NWSE Sec. 30 Twp 06N Rge 46E 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 46E 30									20.0	25.0	35.0	38.0	34.0	28.0	40.0	40.0	260.0

Total Acres: 260

CONDITIONS OF APPROVAL

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 01, Snake River.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
5. Rights 22-312, 22-487C, and 22-13016 when combined shall not exceed a total annual maximum diversion volume of 910.0 af at the field headgate, and the irrigation of 260 acres.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 22-13016
As Modified by Transfer No. 66898

CONDITIONS OF APPROVAL

7. Rights 22-312 and 22-487C are also diverted through the point of diversion described above.
8. The portion of Right 22-13016 in excess of this transfer approval shall be considered abandoned through approval of Transfer 66898.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of Transfer No. 66898 does not preclude the opportunity for review of the validity of the water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 2001


Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 24, 1999

TERESA L STURM
HOPKINS RODEN CROCKETT HANSEN & HOOPES PLLC
PO BOX 51219
IDAHO FALLS ID 83405-1219

RE: CHANGE OF WATER RIGHT OWNERSHIP FOR TWINING TO BOYD C. & JILL
J. SMITH TRUST

Dear Ms. Sturm:

Please refer to the following columns:

A22-00042	A22-00488	22-11544	A22-00208
A22-00063	A22-00489	22-12134	
A22-00130B		22-12135	
A22-00130D		22-12136	
A22-00136C		22-12137	
A22-00160			
A22-00312			
A22-00313			
A22-00481A			
A22-00482A			
A22-00483A			
A22-00487C			
A22-00515B			
A22-00516B			
A22-00517B			
A22-00616			
A22-02029			
A22-04040			

The first column represents the claims that have been changed into the name of Boyd C. & Jill J. Smith Trust. Copies of computer print-outs reflecting this change are enclosed.

The claims in the second column were combined together in 1997 to form a new claim, and this claim was renumbered to **A22-13016**. The name was changed on this claim to Boyd C. & Jill J. Smith Trust. A computer print-out of this change is enclosed.

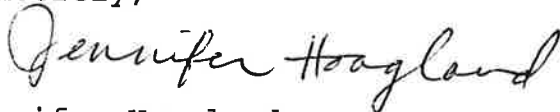
The claims in the third column are all domestic and stock claims, currently before the Snake River Basin Adjudication Court in Twin

Falls. I am required to notify the court of the change in owner and I am in the process of doing this. The owner will be changed to reflect Boyd C. & Jill J. Smith Trust and these claims will be sent to you in another mailing.

Finally, the fourth column reflects the claims that were not changed to reflect your client as the current owner. Claim A22-00208 was split in 1991 into an "A" part and a "B" part. Our records show that neither part was in the name of Twining. Again in 1991 the "B" part was split four more times into a "C" "D" "E" and "F". Again, our records show that none of these parcels of property was in the name of Twining. If the Smith's can prove through legal documents that they own all or some of these parts, then our office will proceed with this change. Otherwise, there is not enough evidence at this time. Copies of computer print-outs for A22-00208 and A22-00208B are enclosed.

If you have further questions regarding these matters, please contact me or Senior Water Agent Dave Carlson.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Hoagland". The signature is written in dark ink and is positioned above the typed name.

Jennifer Hoagland
Technical Records Specialist

Enclosures

cc: Boyd C. & Jill J. Smith

JUN 15 1996

DC
6-22-99

Department of Water Resources RECEIVED

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP SEP 16 1996Department of Water Resources
Eastern RegionDATE OF CLOSING: September 6, 1996LEGAL DESCRIPTION OF PROPERTY: See attached Warranty Deed

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

A22-13016

[x] Water Rights Number(s)
Assigned by IDWR:

A22-00487C; A22-00488; A22-00515B; ✓
A22-00516B; A22-00517B; A22-00616; ✓
A22-02029; A22-04040; A22-11544; ✓
A22-12134; A22-12135; A22-12136; ✓
A22-12137; A22-00042; A22-00043; 63 ✓
A22-00130B; A22-00130D; A22-00136C; ✓
A22-00160; A22-00312; A22-00313; ✓
A22-00481A; A22-00482A; A22-00483A; A22-00488 ✓
22-00489; 22-0028 208 ✓

[x] Name and Address of Former
Owner/Claimant(s)(Seller):

Edmund S. Twining, III, a married man dealing
with his sole and separate property and Edmund
S. Twining, III and Jane Forbes Clark, II, acting
not individually but as Trustees of the Trust
under the Will of Susan Clark Twining for
Edmund S. Twining, III, also known as the
Residuary Trust U/W of Susan C. Twining
Post Office Box 101
The Plains, Virginia 20198

[x] New Owner/Claimant
(Purchaser):

Boyd Charles Smith and Jill Johnson Smith, or
their successors, not individually but as Trustees
of The Boyd Charles Smith and Jill Johnson
Smith Trust created by that certain Trust
Agreement dated Dember 13, 1990

[x] New Mailing Address:

3201 Ash Street
Palo Alto, California 94306-2240

[x] New Telephone Number: (415) 493-5411

[x] Does the change in ownership result in a splitting of the water right owned/claimed?
 _____ yes _____ x no. If yes, then describe the portion of the
 water right that is now owned/claimed by the new owner:

[x] Attach proof of ownership,
describe proof attached: Copy of Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim
number. Proof of ownership is not required if this form is signed by the former
owner/claimant.)

[x] Signature of New
Owner/Claimant(s)

Paul Charles Smith Date 30 Aug 96

Gell Johnson Smith Date 8/30/96

Jill Johnson Smith, and her successors,
not individually, but as Trustee of The Boyd
Charles Smith and Jill Johnson Smith Trust
created by that certain Trust Agreement dated
December 13, 1990

[x] Signature of Former
Owner/Claimant(s)


Date August 20, 1996
Edmund S. Twining, III, Individually



Date August 20, 1996

Edmund S. Twining, III, not individually
but as Trustee of the Trust under the Will
of Susan Clark Twining for Edmund S.
Twining, III, also known as the Residuary
Trust U/W of Susan C. Twining



Date 8.22.96

Jane Forbes Clark, II, not individually
but as Trustee of the Trust under the Will
of Susan Clark Twining for Edmund S.
Twining, III, also known as the Residuary
Trust U/W of Susan C. Twining

(Signature of former claimant(s) is not required if
proof of ownership is attached)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Number of Split, if any:

Original to be mailed to Idaho Department of
Water Resources. Copies to Former Owner and
New Owner

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: **A22-13016**
Date Received: 10/17/1988
Receipt No: E003224
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: EDMUND S TWINING III 208-456-2310
Address: PO BOX 101
TETONIA ID 83452

AND
Name: SUSAN TWINING 208-456-2310
Address: PO BOX 101
TETONIA ID 83452

2. Date of Priority: JUN 1, 1899

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

4. Point of Diversion:

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

5. Description of diverting works:
WEAVER DITCH - CONCRETE HEADING WITH FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.900		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	46E	30	NE	SE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	46E	30	NW	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 140.0

Total Acres 140.0

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:

22-00487, 22-00489, 22-00063, 22-04040.

14. Remarks:

THIS CLAIM IS BASED ON A COMBINATION OF RIGHTS 22-00488 FOR 0.70 CFS AND 22-00489 FOR 3.20 CFS.

THIS RIGHT WAS ORIGINALLY NUMBERED A22-00488. RENUMBERED 1-10-97.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs Decree Defendant

PROFILING

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

RENUMBERED A22-13016
Ident. Number: ~~A22-00488~~
Date Received: *10/29/88*
Receipt No: *E003224*
Received By: *TO*

11/16/97
47

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDMUND S. TWINING, III 208-456-2310
Address: P.O. BOX 101
TETONIA, ID 83452
AND
Name: SUSAN TWINING 208-456-2310
Address: P.O. BOX 101
TETONIA, ID 83452

A2213016



2. Date of Priority: JUN 01, 1899

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

4. Point of Diversion:

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

5. Description of diverting works:

WEAVER DITCH - CONCRETE HEADING WITH FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.900		

7. Total Quantity Appropriated is:

(.7 cfs) 3.900 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00488

Page

1

Date: 09/29/88

SCANNED
JUN 22 2005

PROFILED

MICROFILMED
OCT 28 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	46E	30	NE	SE		IRR	30.0
			NW	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							140.0
Total Acres							140.0

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:
22-00487, 22-00489, 22-00063, 22-04040.

14. Remarks:
THIS CLAIM IS BASED ON A COMBINATION OF RIGHTS 22-00488 FOR
0.70 CFS AND 22-00489 FOR 3.20 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

SCANNED
JUN 22 2005

PROFILED

MICROFILMED
OCT 28 1992

16. Signature(s)

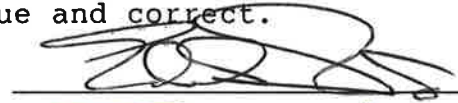
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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):



Date:

9/27/88



Date:

9/27/88

State of Idaho

)

) SS.

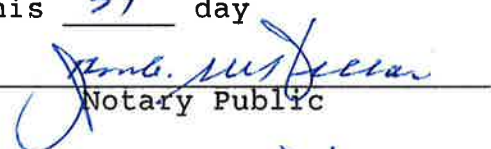
County of

Leton

)

Subscribed and sworn (or affirmed) before me this 27 day

of September 19 88


Notary Public

Seal

Residing at

My Commission Expires by

Twp 6 N
Rge 4 E

Weaver Ditch
Heading

North Irish Creek

Lt 3	20.	30	30
19		A22-00487C	
A22-00063		A22-00488	
Lt 4			
36	38	40	40.

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OCT 28 1992

E003224

2342 (20)

-1-

EDMUND S. AND SUSAN TWINING III
Teton Ranch

P.O. Box 101

T. 6 N., R. 46 E. B.M.

Legal Descriptions

Teton Ranch

Lots 1 and 2, E½NW¼, NE¼ - Section 31
Lots 1, 2 and 3, NW¼ - Section 32
All in Township 6 North, Range 46 East,
Boise Meridian

Welfare Farm

NE½NE¼ - Section 36
Township 6 North, Range 45 East, B.M.

Stillers Run

Lots 3 and 4; E½SW¼; SE¼
All in Section 30, Twn. 6 North, Rge. 46 E.B.M.

Galloway Hills

SW½SW¼, S½NW½SW¼, Sec. 29, Twn. 6 N., Rge 46 E.B.M.

Water Rights Described in Warranty Deeds

Teton Ranch

22-0160/T.2135 - 3.2 cfs - 1891

Source: South Leigh Creek

Amount: 3.2 cfs

Priority Date: 1891

Use: Irrigation

Place of Use: Lots 1 & 2, E½NW¼, NE¼, Section 31

Twn 6 N., Rge 46 EBM

Diversion: See "Diversion" below

*Lots 1, 2, 3, & nearby
of Sec. 32*

22-0616/T.2135 - 8.0 cfs - 1916

Source: South Leigh Creek

Amount: 8.0 cfs

Priority Date: 1916

Use: Irrigation

Place of Use: Lots 1 & 2, E½NW¼, NW¼, Section 31

Twn 6 N Rge 46 EBM

Diversion: See "Diversion" below

Lots 1, 2, 3 & nearby Sec 32

Diversion: Irrigation Pumps at Ida/Wyo State line

NW½NE¼, Sec. 32, Twn. 6 N., Rge. 46 EBM

OR

SE½NE¼, Sec. 6, Twn. 44 N., Rge 118 W6thPM

Kilpack Canal Diversion

SE½NE¼, Sec. 6, Twn. 44 N, Rge 118W-6PM

Hog Canal Diversion

NW½NW¼, Sec. 6, Twn. 44 N, Rge 118-6PM

80 acre feet - Fremont-Madison

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Welfare Farm

22-0042 - .8 cfs - So. Leigh - Jan. 22, 1916.

Stillers Run

22-0063 (DECREE)

Source: ~~South~~ Leigh Creek

Amount: 6.4 cfs

Priority Date: January 22, 1916

Use: Irrigation

Place of Use: Sec. 30-6-46EBM

NE%SW% NW%SW%

SW%SW% SE%SW%

NE%SE% NW%SE%

SW%SE% SE%SE%

Diversion: Lot (2) Section 29-6-46 EBM

F. C. Gillette vs Lynn Waddell - December 7, 1938

22-0312 (DECREE)

Source: North Leigh Creek

Amount: 3.0 cfs

Priority Date: June 1, 1897

Use: Irrigation

Place of Use: Sec. 30-6-46 EBM

NE%SW% NW%SW%

SW%SW% SE%SW%

Diversion: SW%NE% - Section 29, Twn. 6 N., Rge 46 EBM

Rexburg Irr. Co. vs Teton Canal Co. - 12/16/1910

22-0313 (DECREE)

Source: North Leigh Creek

Amount: .2 cfs

Priority Date: June 1, 1900

Use: Irrigation

Place of Use: SW% Sec. 30, Twn. 6 N., Rge 46 EBM

Diversion: SW%NE% - Sec. 29, Twn. 6 N., Rge 46 EBM (originally recorded as Rge 45)

Rexburg Irrigation Co. vs Teton Canal Co. - 12/16/1920

22-0487 (DECREE)

Source: North Leigh Creek

Amount: 1.8 cfs

Priority Date: June 1, 1897

Use: Irrigation

Place of Use: SE%, Sec. 30, Twn. 6 N., Rge. 46 EBM

Diversion: SW%NE%, Sec. 29, Twn. 6 N., Rge 46 EBM (originally reported as Rge 45)

Rexburg Irrigation Co. vs Teton Canal Co. 12/10/1910

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22-0488 (DECREE)

Source: North Leigh Creek
Amount: .7 cfs
Priority Date: June 1, 1899-
Use: Irrigation
Place of Use: SE¼, Sec. 30, Twn. 6 N., Rge. 46
EBM
Diversion: Hansen Ditch
Rexburg Irrigation Co. vs Teton Canal Co.
12/10/1910

22-0489 (DECREE)

Source: North Leigh Creek
Amount: 3.2 cfs
Priority Date: June 1, 1899
Use: Irrigation
Place of Use: SE¼, Sec. 30, Twn 6 N., Rge 46 EBM
Diversion: Hansen Ditch
Rexburg Irrigation Co. vs Teton Canal Co.
12/10/1910

22-4040 (CLAIM)

Source: Indian Creek
Amount: 4.1 cfs
Priority Date: June 29, 1900
Use: Irrigation 4.0 cfs
Stock Water .1 cfs
Place of Use: S¼, Section 30, Twn 6 N., Rge 46
NW EBM
Diversion: NE¼SW¼, Section 29, Twn. 6 N., Rge 46
EBM
Published: Teton Valley News
July 31, 1980 & August 1, 1980

~~22-7258 (PERMIT)~~ N

Source: Well
Amount: 6.4 cfs
Date: August 31, 1977
Use: Irrigation and Stock Water
Place of Use: S¼ Section 30, Twn. 6 N., Rge 46
EBM
Diversion: SE¼SE¼ Section 30, Twn. 6 N., Rge. 46
EBM

NOTE: The application was filed on August 31, 1977. The applicant was given five (5) years to prove up on the well (August 31, 1982). On November 1, 1982 the applicant filed a Request for Extension of Time and was given until November 1, 1987 to complete his proof for permit to be issued.

FOR ORIGINAL

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Galloway Hills

Water right unknown

Domestic Wells

A22-12134 Teton Ranch

Location: SE³²NW³², Sec. 8, Twn. 6 N., Rge 46 EBM
Size: 6"

Depth: Unknown

History: Estimated 50 years *Nov 7, 1928*

Use: Domestic: 2 homes, stock water

600 head of stock water

Stillers Run

A22-12135 x(1) Location: NW^{SW}SW^{SW}, Sec. 30, Twn 6 N, Rge 46 EBM
Size: 6"

Depth: Unknown

History: Estimated 50 years *Nov 7, 1928*

Use: Domestic - 1 house, stock water

A22-12136 (2) New South Well
Location: NW^{SW}SW^{SW}, Sec. 30, Twn 6 N, Rge 46 EBM
Size: 6"

Depth: 120 feet

Date Drilled: April 30, 1987

Use: Domestic and Stock Water

600

A22-12137 (3) New North Well
Location: NW^{SW}SW^{SW}, Sec 30, Twn 6 N, Rge 46 EBM
Size: 6"

Depth: 120 feet

Date Drilled: April 30, 1987

Use: Domestic and Stock Water

600

Stock Water

File for stock water on all parcels from South Leigh and Middle Leigh and North Leigh for estimated 600 head of stock.

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24

EDMUND S. & SUSAN TWINING III
TETON RANCH
Teton County, Idaho
September 27, 1988

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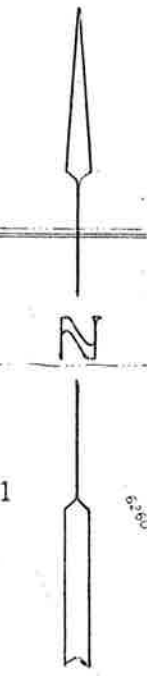
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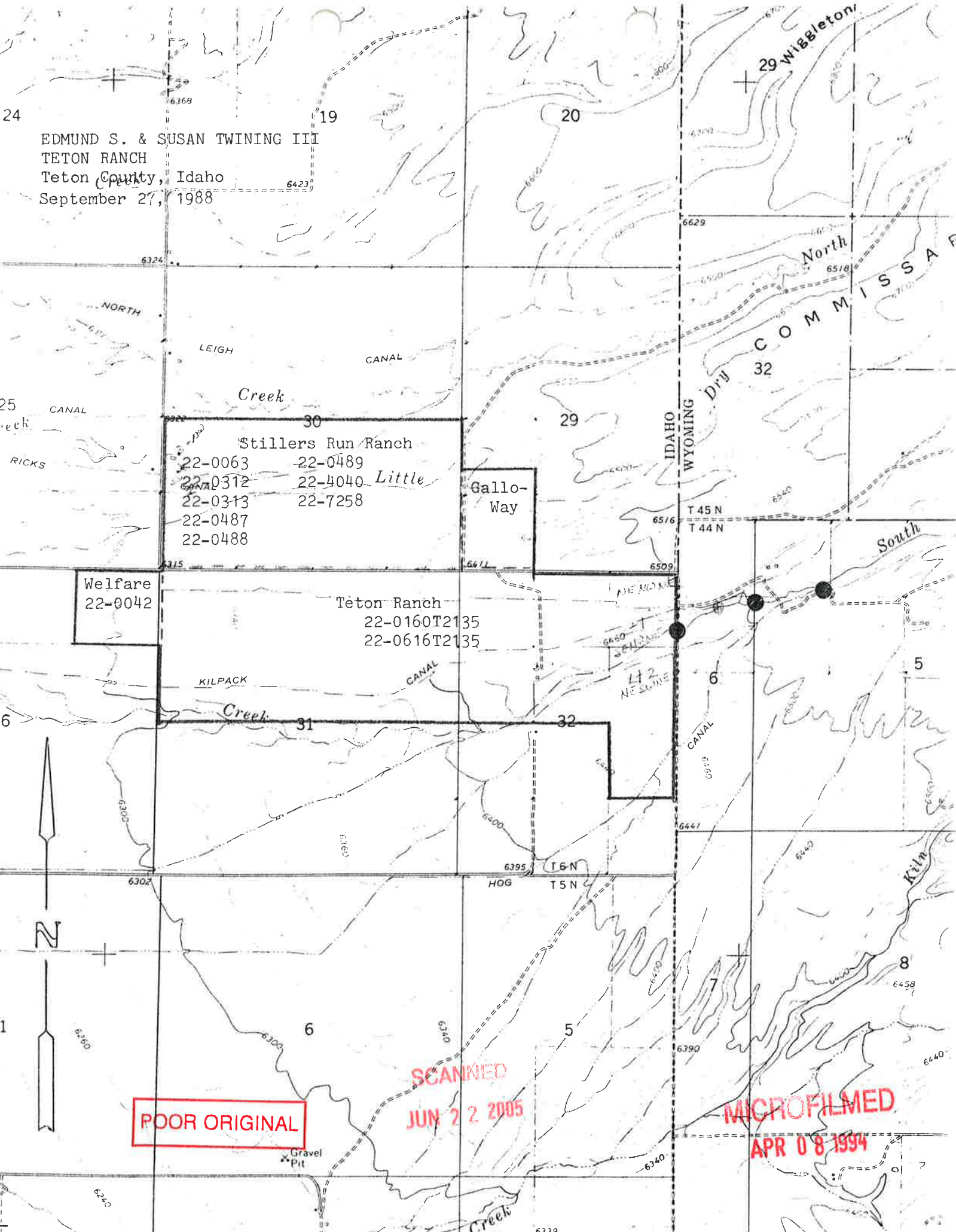


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Twp 6N
Rge 46E

Weaver Ditch
Heading

North Losh Creek

H3	20	30	30
19	30	A22-00487C	
A22-00063		A22-00488	
44	38	40	40
36			

POOR ORIGINAL

UNFILMED

APR 06 1994