

11/29/2006

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

RIGHT NUMBER: 22-13176
NAME AND ADDRESS: TETON PARTNERS LTD
1000 N ORLANDO AVE STE D
WINTER PARK FL 32789
SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.600 CFS
PRIORITY DATE: 05/15/1897
POINT OF DIVERSION:
T06N R46E S32 NENWSE Lot 3 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 5 SENWNW, 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	0.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R46E S31 NESE 23.00	T06N R46E S31 SESE	36.00
	T06N R46E S32 NESW 37.00	T06N R46E S32 NWSW	34.00
	T06N R46E S32 SWSW 38.00	T06N R46E S32 SESW	38.00
	206 ACRES TOTAL		

This right is limited to the irrigation of 140 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 206 acres in a single irrigation season. Combined Right Nos.: 22-161, 22-347B, 22-348B, 22-349B, 22-583B, 22-610, and 22-13176.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

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

This right is a split from former right 22-582.

Water is delivered through the Hog Canal, also known as Leigh Creek Canal. Ditches with headings off the Hog Canal located in Wyoming provide irrigation water for portions of the place of use.



Idaho Department of Water Resources

SRBA Recommendation:

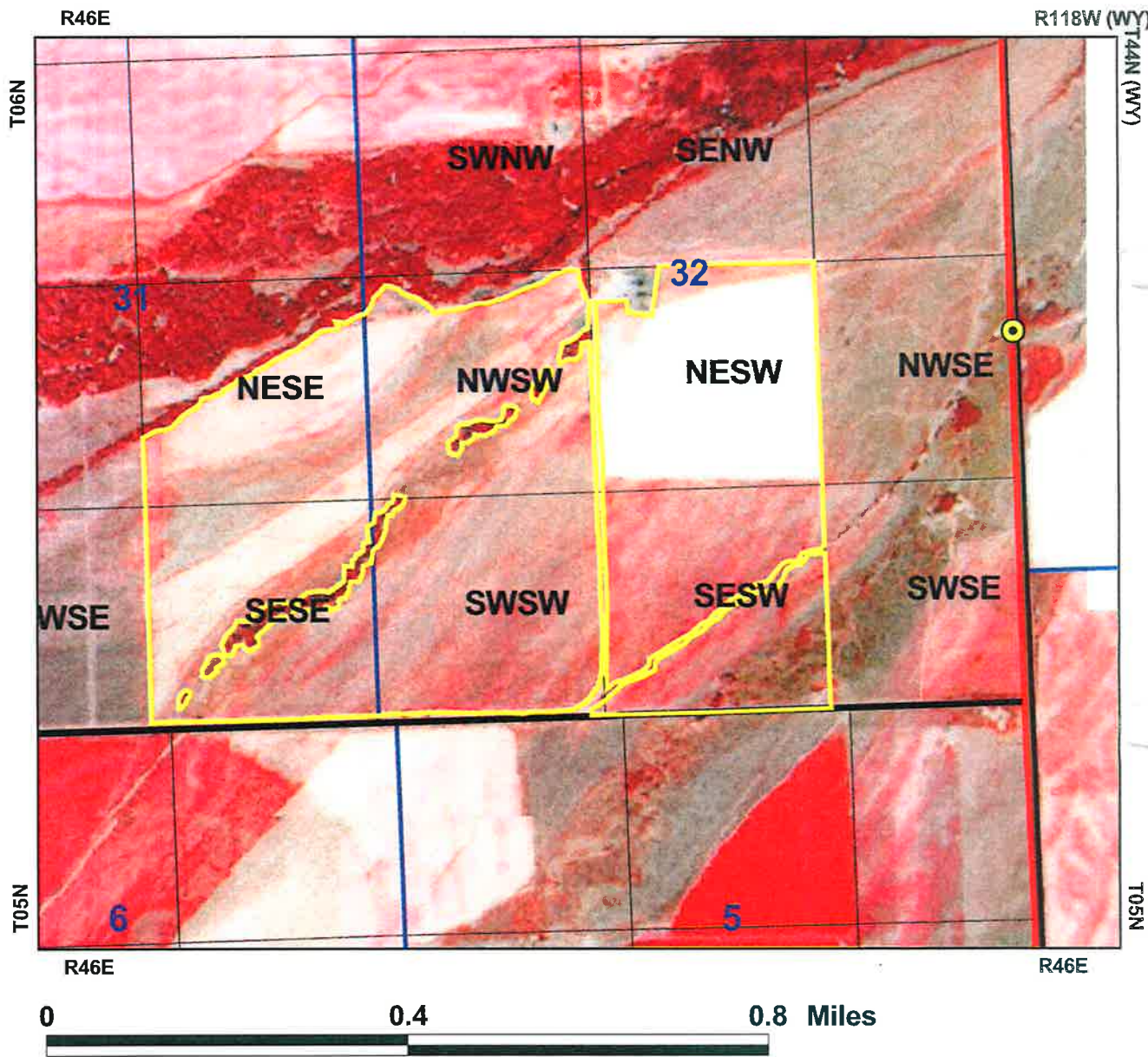
22-161
22-347B
22-348B
22-349B
22-583B
22-610
22-13176
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by K. Moore
On Wednesday, November 29, 2006
1987/88 Aerial Photography

WA
OK JC
11-3-06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
AJ 22-161 ✓OK			22-347B		
AJ 22-583B ✓OK			22-348B		
AJ 22-610 ✓OK			22-349B		
AJ 22-13176 ✓OK			22-582B		
PD 22-11604			Withdrawn		
			Rec. as		
			22-13176		

temp status do not change ownership

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Lloyd H. and Veronique R. Fullmer
P.O. Box 148, Driggs, ID 83422
4. New Owner/Claimant(s) Teton Partners, LTD.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1000 N. Orlando Avenue, Suite D
City, State and ZIP Code Winter Park, FL 32789
New Telephone Number (407) 629-1800
Date you acquired the property 6/2/06

RECEIVED

JUL 10 2006

**DEPARTMENT OF
WATER RESOURCES**

RECEIVED

NOV 01 2006

**Department of Water Resources
Eastern Region**

RECEIVED

JUN 27 2006

**Department of Water Resources
Eastern Region**

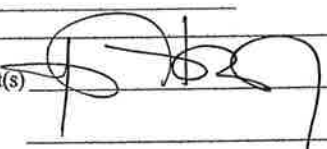
SCANNED

OCT 23 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  Manager, Strong Teton, LLC
(include title if applicable) General Partner of Teton Partners, LT

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by KMS Date 6/27/06 Fee \$25⁰⁰
 Received by KMS Date 6/29/06 Receipt No. 2032030
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
OCT 23 2006

WA
OK JC
11-3-06

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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AJ 22-583B ✓OK			22-348B		
AJ 22-610 ✓OK			22-349B		
AJ 22-13176 ✓OK			22-582B		
PD 22-11604			Withdrawn rec. as 22-13176		

AJ } temp status
do not change ownership

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P.O. Box 148, Driggs, ID 83422
4. New Owner/Claimant(s) Teton Partners, LTD.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
1000 N. Orlando Avenue, Suite D
Winter Park, FL 32789
- New Mailing Address
- City, State and ZIP Code
- New Telephone Number (407) 629-1800
5. Date you acquired the property 6/2/06

RECEIVED

JUL 10 2006

**DEPARTMENT OF
WATER RESOURCES**

RECEIVED

NOV 01 2006

**Department of Water Resources
Eastern Region**

RECEIVED

JUN 27 2006

**Department of Water Resources
Eastern Region**

SCANNED

OCT 23 2006

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Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) [Signature] Manager, Strong Teton, LLC
(include title if applicable) General Partner of Teton Partners, LT

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only				
Received by	<u>KMS</u>	Date	<u>6/27/06</u>	Fee
Received by	<u>KMS</u>	Date	<u>6/29/06</u>	Receipt No.
Processed by	<u>AJ</u>	Date		WR
				Date

SCANNED
OCT 23 2006

11/08/2006

**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:

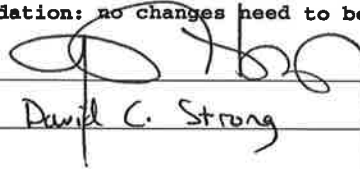
Water right number: 22-13176
TETON PARTNERS LTD
1000 N ORLANDO AVE STE D
WINTER PARK FL 32789
Telephone Number: (407) 629-1800

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

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

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: 12/5/2006 SIGNATURE: 
Please print your name: David C. Strong

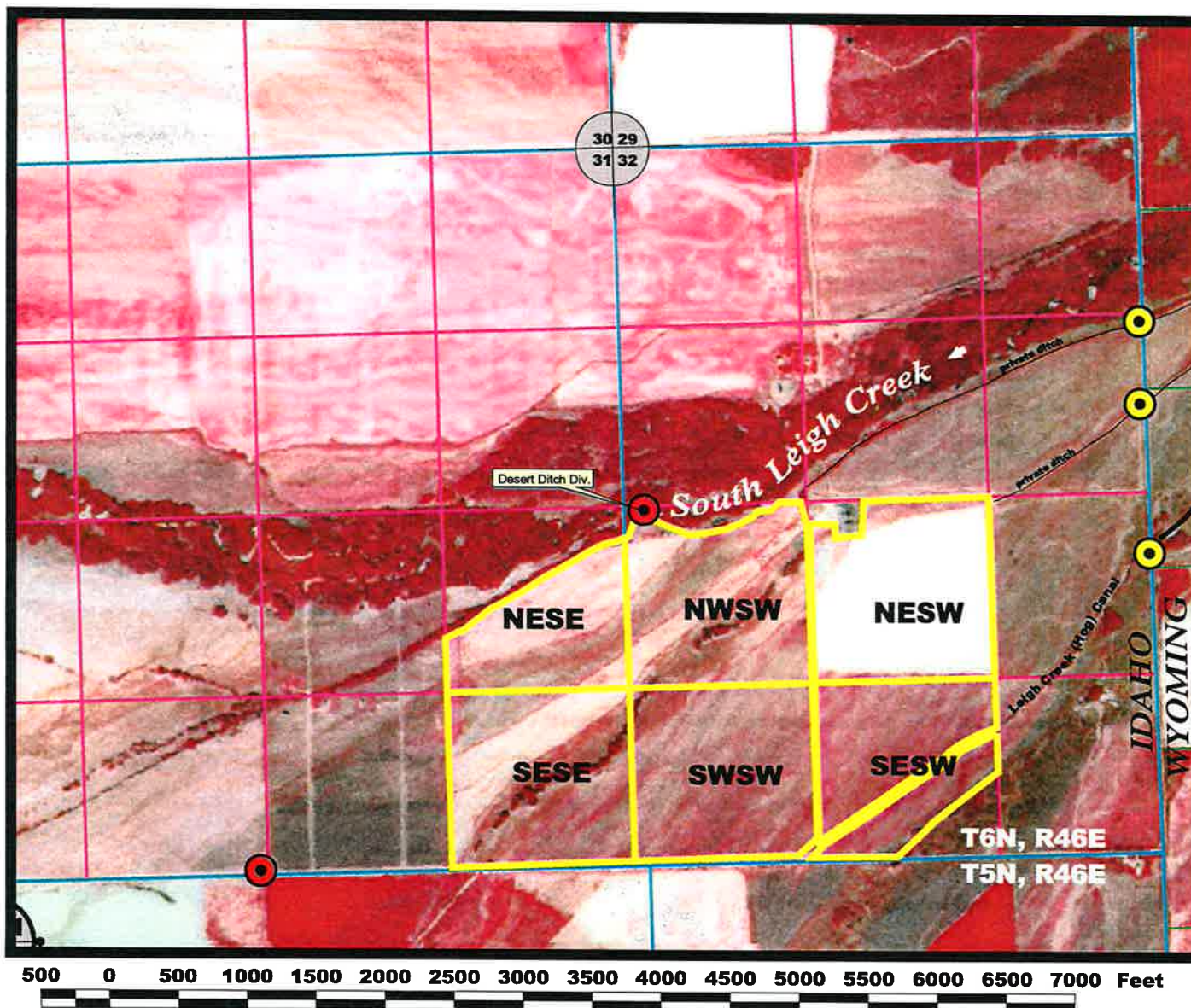
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-00161, 22-00583B,
22-00610, 22-13176

Point(s) of Diversion:
T6N, R46E
Sec. 32 NESWNE (L2), (priv. ditch)
Sec. 32 SESWNE (L2), (priv. ditch)
Sec. 32 NENWSE (L3), (Hog Canal)

Place of Use: (parts of)
T6N, R46E
Sec. 31 E2SE,
Sec. 32 SW

Delivery through and diversion
from Leigh Creek (Hog) Canal

Wyoming Div.: T44N, R118W,
Sec. 5 SENWNW (L4), 6PM

LEGEND

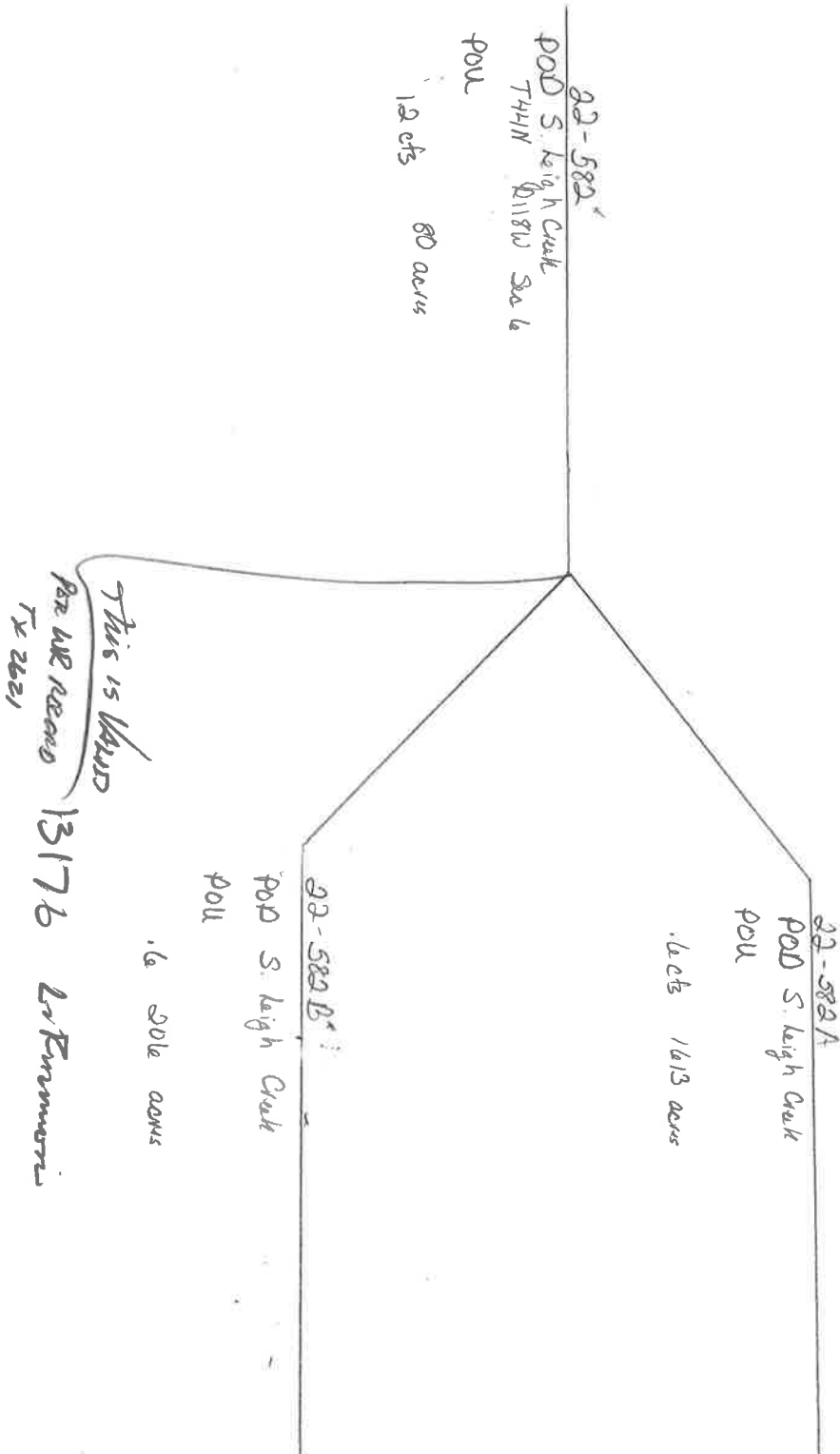
-  **Point of Diversion**
-  **SESE** **Place of Use**
-  **Section**
-  **Quarter-Quarter**



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

Water Right and SRBA Split History Analysis

22-582



Reviewer: _____

mydoc/fieldexamforms/splithistory

Date: _____

1. Fullmer put in a claim for 22-582B but allegedly claimed by Teton West Irrigation. Fullmer's claim is unrelated to 22-13176
 * Teton West Irrigation claiming water rights when no proof of ownership & different place of use than originally desired.



Lloyd Fullerton's Headgate over
Hog Canal. Wyoming 5106.
Diverts to Private Ditch



Hog Canal Diversion of So Loch Cr.

Wyoming Diversion

Also Somers Lloyd Fulmore,

Also serves Lloyd Furman
Hog Canal Diversion (Wyoming side) off 50 Litch Ck



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 22-13176
Date Received: 5/31/2001
Receipt No: 2030236
Received By: *ASN*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LLOYD H FULLMER Phone: (208)456-2393
PO BOX 148
DRIGGS ID USA 83422

VERONIQUE R FULLMER Phone: (208)456-2393
PO BOX 148
DRIGGS ID USA 83422

2. Date of Priority: 05/15/1897

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	46E	32	NE SW NE 2	TETON	

5. Description of diverting works:

POD is in Wyoming where water is first diverted from Leigh Creek is located in the SENWNW, S05, T44N, R118W, Teton Co, Wyo.

Legal description entered in database defines point where diversion ditch crosses the WYO/ID border since database will not currently accept WYO legal description

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.6	

7. Total Quantity Appropriated is:
0.6 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	46E	31	NE SE	IRRIGATION	28
			SE SE	IRRIGATION	39.6
Section Acres					67.6

06N	46E	32	NE	SW	IRRIGATION	37.8
			NW	SW	IRRIGATION	36
			SW	SW	IRRIGATION	39.9
			SE	SW	IRRIGATION	34.2
					Section Acres	147.9
					Total Acres	215.5

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:

COPIED FROM WR DATABASE:

Point of diversion is located in the SWNW, S05, T44N, R118W, Teton County, Wyoming. Transfer No. 2621 was filed to change the place of use under all of right no. 22-00161 & portions of Right Nos. 22-00347/348/349/582 & 583 splitting each right into parts A & B.

THE BASIS OF THIS CLAIM IS ON DECREED RIGHT 22-00582B, 22-00582 SPLIT INTO A&B PORTIONS BY TR 2621. "B" PORTION CLAIMED BY ANOTHER PARTY. INITIAL RESEARCH INDICATES "B" PORTION STILL BELONGS TO FULLMER. TR 4751 INVOLVED "A" PORTION, BUT SHOULD NOT HAVE AFFECTED THE "B" PORTION.

Rights 22-00161/347B/348B/349B/582B/583B/& 610 claimed as PPU. Claimant says that historical and current irrigation practice is to use the rights as PPU.

Claimant indicated on map that the POD in Wyoming where water is first diverted from Leigh Creek is located in the SENWNW, S05, T44N, R118W, Teton Co, Wyo.

15. Basis of Claim: Decreed

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): *Walter Fullmer* Date: 9-7-04
Terryjane Fullmer Date: 9-9-04

State of Idaho)
County of Bennett) SS.

Subscribed and sworn (or affirmed) before me this 9th
of Sept 20 04

Allen B. Ruberry
Notary Public

Residing at *Edna Falls ID*

My commission Expires 9/23/09

