

09/28/2006

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

RIGHT NUMBER: 22-13304

NAME AND ADDRESS: LORNA FULLMER FAMILY TRUST
4360 E 500 N
RIGBY ID 83442

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:

T06N R45E S33 NWSWNE 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	0.140 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S28 SWSW 6.70

6.7 ACRES TOTAL

6.7

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-13303,
22-13304.

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

This right is a split from former right 22-380.

Water is delivered through Tetonia canal.

09/28/2006

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: 22-13304

LORNA FULLMER FAMILY TRUST

4360 E 500 N

RIGBY ID 83442

Telephone Number: (208)745-8571

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:

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

DATE: 12-4-06

SIGNATURE:

Ladonna Henman

Please print your name:

Ladonna Henman

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

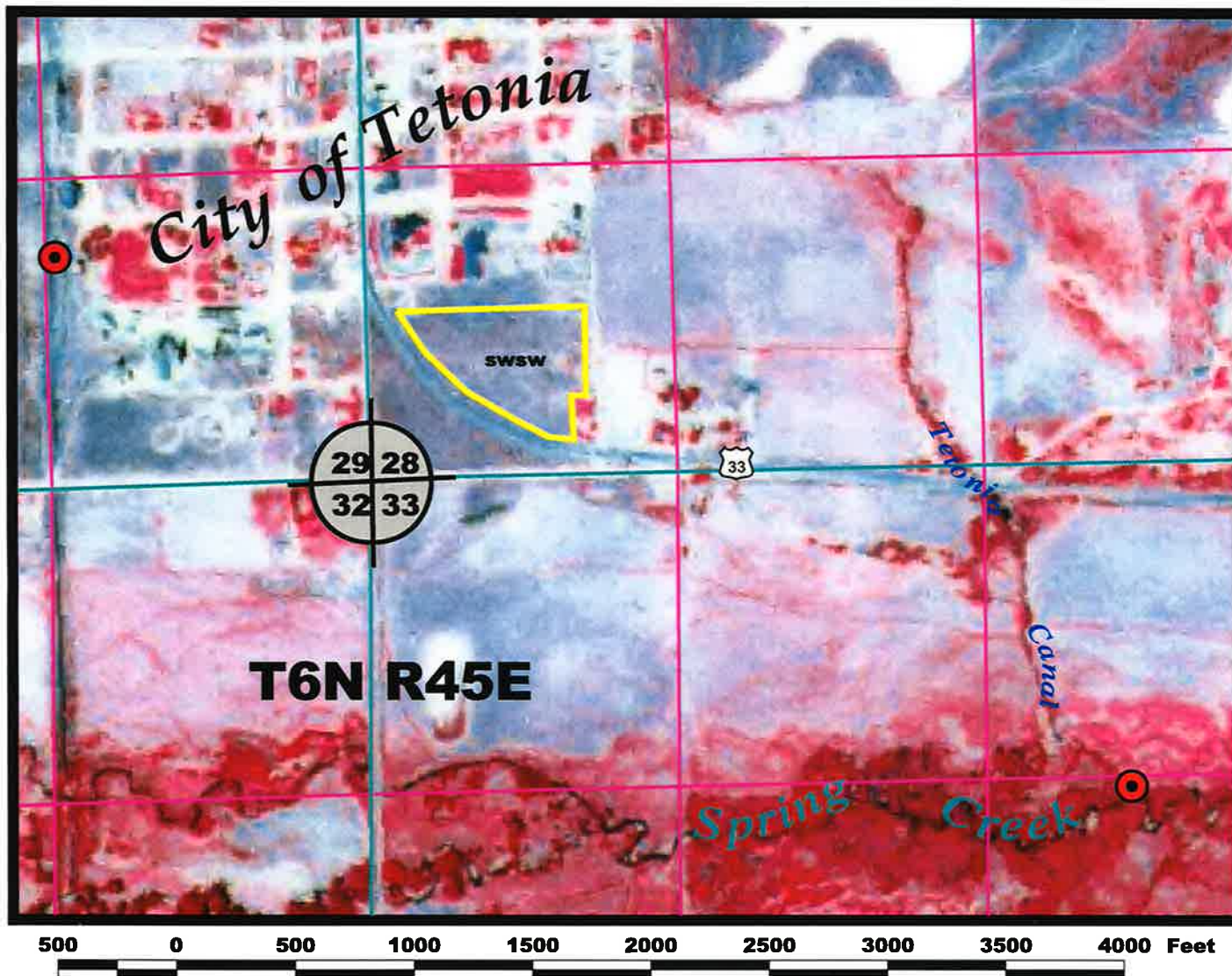
KMT
12/11



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-13303,
22-13304

Point(s) of Diversion:
T6N, R45E
Sec. 33 NWSWNE

Place of Use: (part of)
T6N, R45E
Sec. 28 SWSW

Delivery by Teton Canal

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

8/18/04 Problem w/ claiming too much.
DO water. Only about 10 acres in
this claim.

Please refer to A2213303 as well,

Tetonia Crane Service

Review City of Tetonia
M. Smarowis

SCANNED
MAY 09 2005

PROFILED

City of Teton

MAY 09 2005

SCANNED

29 28
32 33

T6N R45E

city road

State hwy 89

ditch

Tetonia

Canal

POD

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
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

8/18/04
 DO
 Field exam showed POD is Tetonia canal out of Spring Creek. Diversion works are screw type headgate that was chained shut at time of inspection.
 There is a headgate and ditch that diverts water out of Tetonia Canal just after canal crosses under Estate Hwy 33.

Reviewer: _____ Date: _____

SCANNED

MAY 09 2005

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document How the POU was verified:

8/18/04
LD
Field exam showed ditches in place to irrigate approx 10 acres. Please see map of field exam

Reviewer: _____ Date: _____

SCANNED
MAY 09 2005

03/09/2005

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: 22-13304
LORNA FULLMER FAMILY TRUST
4360 E 500 N
RIGBY ID 83442
Telephone Number: (208)745-8571

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: June 6, 2005 SIGNATURE: Ladonna Henman
Please print your name: Ladonna Henman

IDWR Regional Office,

PROFILED

SCANNED
JUN 15 2005

RECEIVED
JUN 13 2005
Department of Water Resources
Eastern Region

KMD
6/13

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 22-13304
Date Received: 7/16/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

LORNA FULLMER FAMILY TRUST Phone: (208)745-8571
4360 E 500 N
RIGBY ID USA 83442

2. Date of Priority: 06/01/1896

3. Source: SPRING CREEK Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	45E	33	NE SW NE	TETON	

5. Description of diverting works:

CONCRETE STRUCTURE WITH WHEEL HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	3.1	
STOCKWATER	04/01	11/01	0.02	

7. Total Quantity Appropriated is:
3.1 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	28	SW SW	IRRIGATION	

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:

STOCKWATER, 25 CATTLE & HORSES

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title

_____, that I have signed the foregoing

Organization

document in the space below as _____ of

Title

_____, and that the statements contained in the

Organization

foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)

County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

22-13304

Date Received

7-16-04

Receipt Number

E030052

RECEIVED

JUL 16 2004

Department of Water Resources
Eastern Region

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lorna Fullmer Family Trust Phone (208) 745-8571

Mailing Address 4360 East 500 North Rigby ID Zip 83442

2. Date of Priority (Only one (1) per claim) June 1, 1896

3. Source of water supply (a) Spring Creek

which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 6N Range 45E Section 33,
NE 1/4 of SW 1/4 of NE 1/4, Govt. Lot, NA B.M., County of Teton

Additional points of diversion if any: NA

b. If instream flow, beginning point of claimed instream flow is: NA

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Concrete Structure with

Wheel Headgate.

SCANNED

MAY 09 2005

FILED

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov 1 amount 3.10 or _____

For Stockwater purposes from April 1 to Nov 1 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Cows, Horses 25 Head

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	45E	28											10						10

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

22-00135 Jan 22, 1916, 3.2 cfs or None ()

14. Remarks:

Last Name Fullmer Ident No. _____

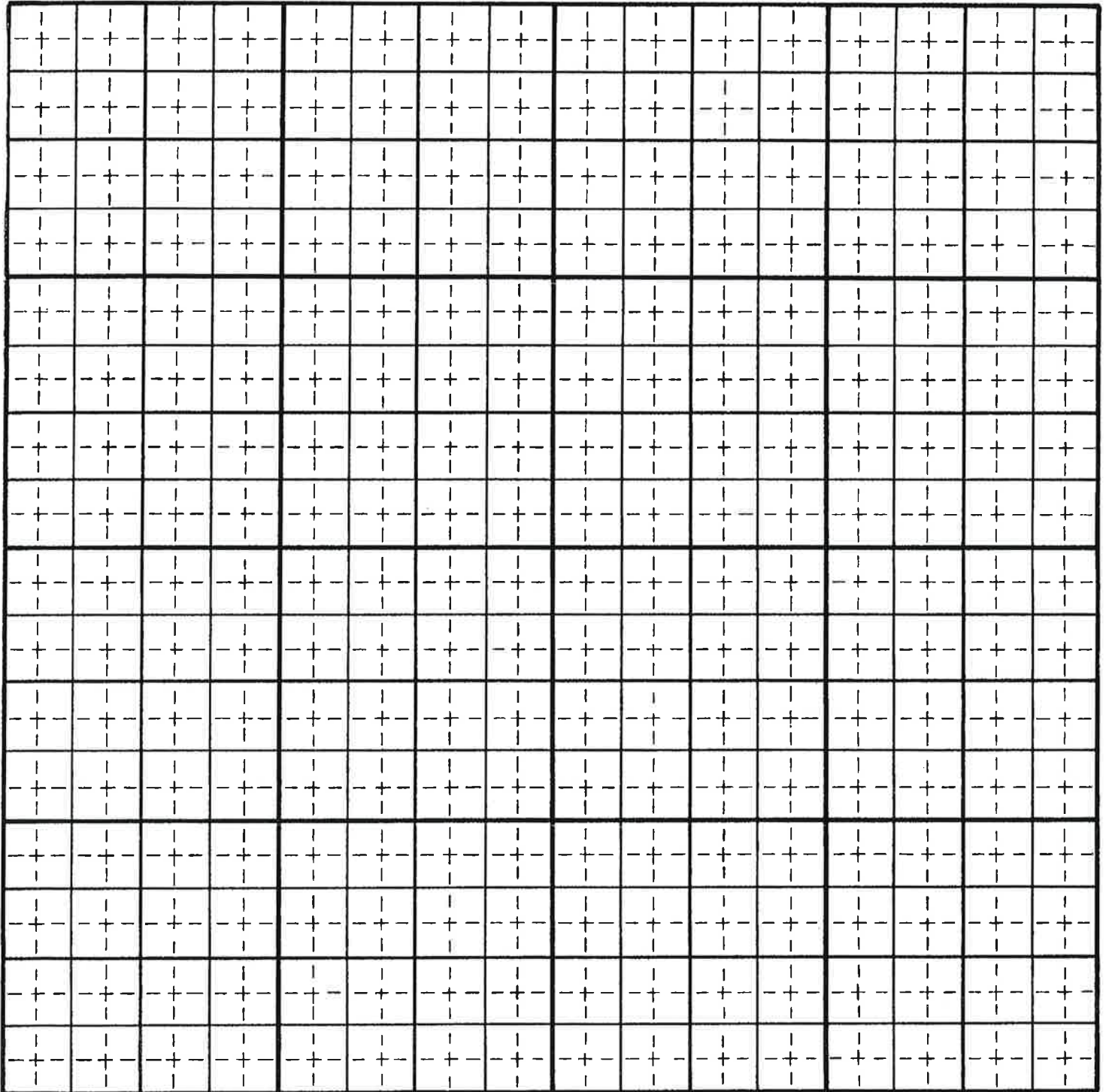
SCANNED

MAY 09 2005

PROFILE

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile SEE ATTACHED MAP

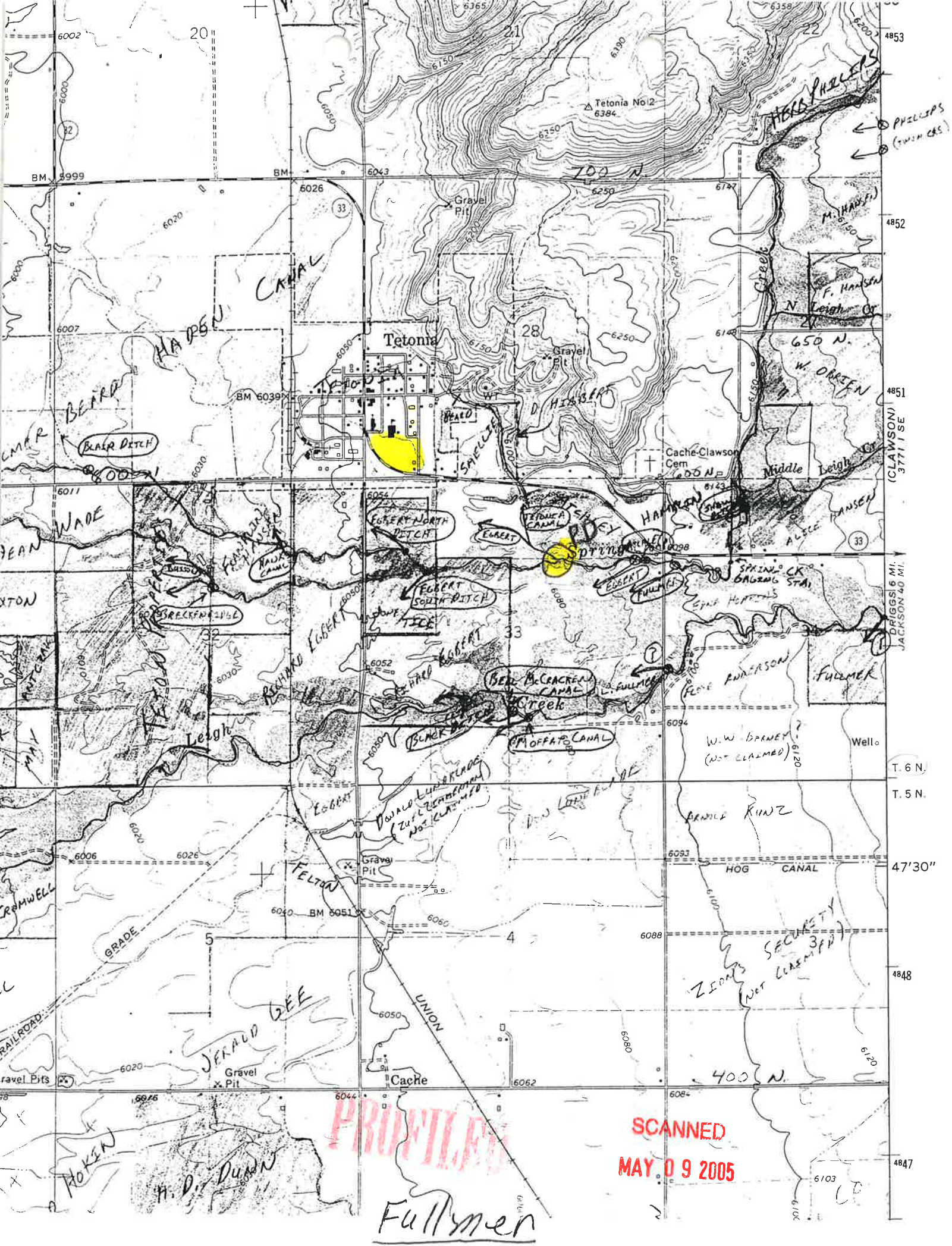


Last Name Fullmer Ident No. _____

PROFIT

SCANNED

MAY 09 2005



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 22-00380
Court Sixth Judicial District Case Number _____ Decree Date 1910
Plaintiff vs Defendant Rexburg Irrigation Co et al vs Teton Irrigation Canal Co. et al

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

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Lorna Fuller Lemley Date 7-14-04
By L. Donna Seaman Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Oremont) SS.

Subscribed and sworn (or affirmed) before me this 14th day of July 2004



Notary Public Kristi Bratt

Residing at St. Anthony

My Commission Expires 12-15-06

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED

MAY 09 2005

PROFILE