

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13637

NAME AND ADDRESS:

CINDY WESTON
81 S 100 E
DRIGGS ID 83422

LEON WESTON
81 S 100 E
DRIGGS ID 83422

SOURCE:

Source:
TETON CREEK

Tributary:
TETON RIVER

QUANTITY:

1.600 CFS

~~1.300 CFS~~

PRIORITY DATE: 04/15/1938

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

T05N R45E S36 SENENW
Within TETON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/31

1.600 CFS

~~1.300 CFS~~

PLACE OF USE:

IRRIGATION within TETON County

T04N R45E S03 Lot 2 NWNE 25.0

T04N R45E S03 Lot 3 NENW 40.0

65 ACRES TOTAL

Right Nos. 22-75 and 22-13637 are limited to the irrigation of a combined total of 65 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

12/11/06

Dear Sirs:

I have been asked to write my recollections of water delivery out of Teton Creek for land that has been irrigated from spring and is located southwest of Drapp.

Each year spring water was delivered from Teton Creek through ditches to ground level and west of State Highway 33 for flood irrigation. Since this water was used it would take 7-10 days for the spring water south and southwest of Drapp to come in. This land is currently owned by Pico, Weston, Herms, and others. If this water isn't diverted from Teton Creek and used in this area, the spring and sub-water won't come in. That has been my experience during the time it was watered (1978-2000)

Sincerely,
Lee P. Brown

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JUL 02 2007

AFFIDAVIT

State of Idaho

County of Teton

I am currently 88 years of age, born in the year of 1918, and lived in Teton County Idaho for 88 Years. I am personally aware of water being diverted from Teton Creek for the use of flood irrigation of crops and land in Section 25, Range 45E, Tship 05N and in Section ~~36~~ 36, Range 45E and Tship 05N. Both diversions have been improved and maintained. The associated ditches used are still in existence and have been improved and maintained on a yearly basis. The location of use is in Section 3, Range 45E, Tship 04N.

To the best of my ability I can remember water being diverted from these two points in June of 1948 for the use of irrigation and spring sub-water.

Geo. Jensen

[signature of affiant]

GEORGE JENSEN

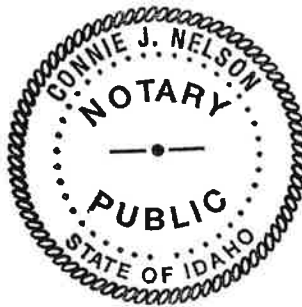
[typed name of affiant]

P.O. Box 323 DRIGGS, IDAHO 83422

[address of affiant]

Subscribed and sworn to before me, this 16 [day of month] day of Dec [month], 2006.

[Notary Seal:]



Connie J. Nelson

[signature of Notary]

Connie J. Nelson

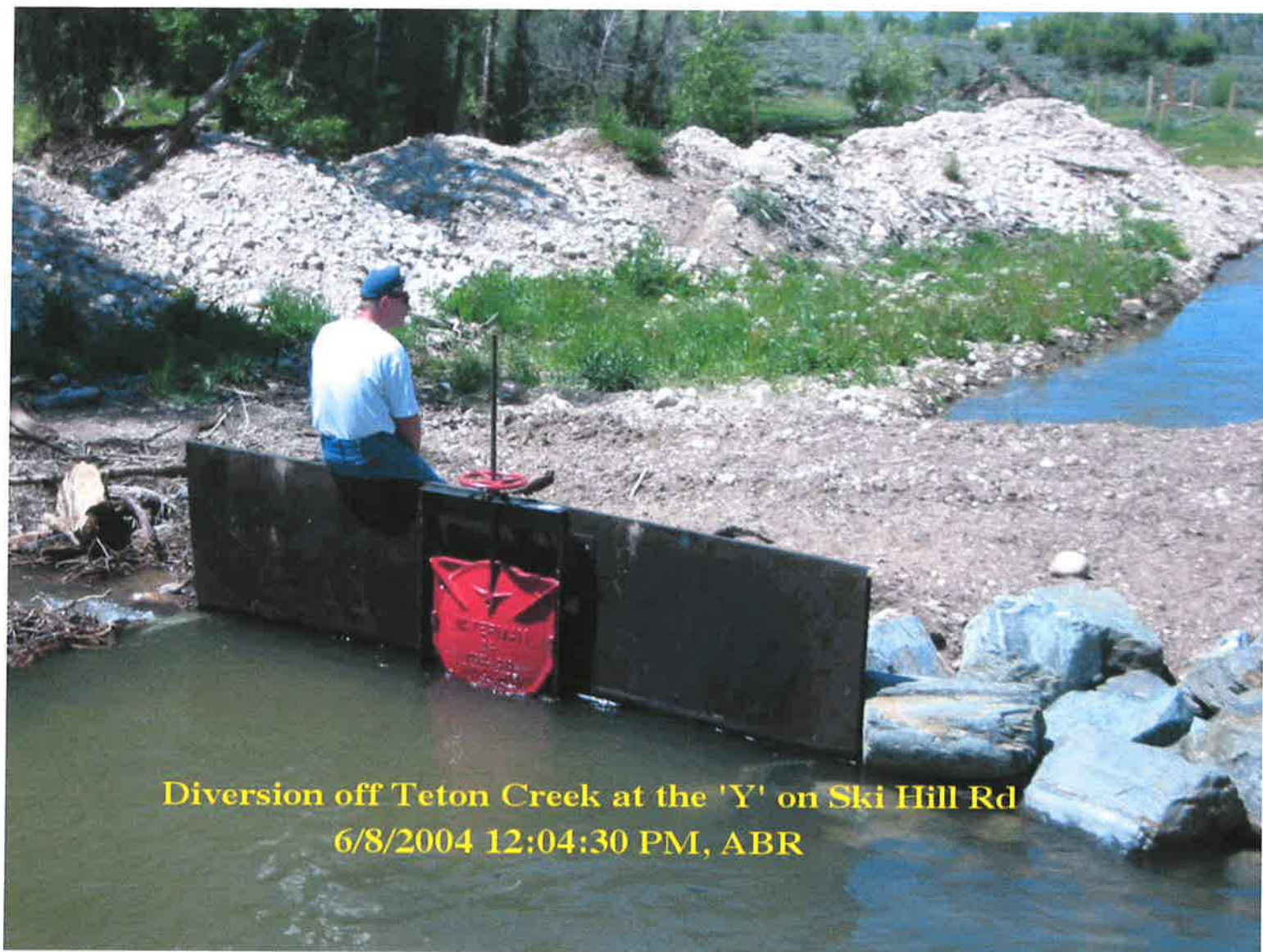
[typed name of Notary]

NOTARY PUBLIC

My commission expires: 1.20, 2010.

SCANNED

JUL 02 2007



**Diversion off Teton Creek at the 'Y' on Ski Hill Rd
6/8/2004 12:04:30 PM, ABR**

40013608

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JUL 02 2007



Idaho Department of Water Resources

SRBA Recommendation:

22-13637

(Irrigation)

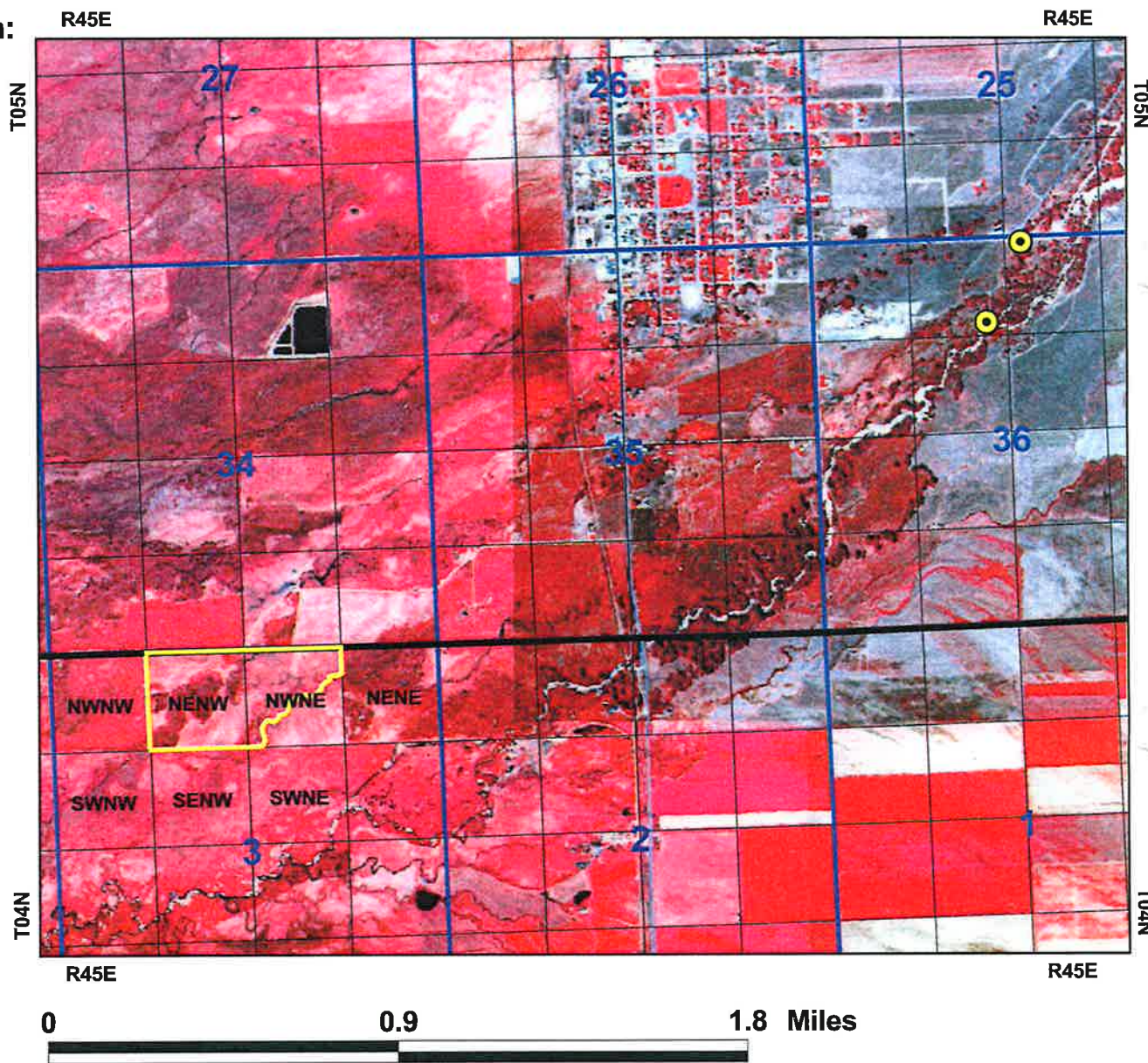
Legend

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JUL 02 2007

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



Teton County
IDWR Basin 22



Prepared by K. Moore
On Monday, December 18, 2006
1987/88 Aerial Photography

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 22-13637
Date Received: 12/7/2006
Receipt No:
Received By: *E032457*
clb

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

1. Name of Claimant(s)

CINDY WESTON Phone: (208)354-8255

81 S 100 E
DRIGGS ID USA 83422

LEON WESTON Phone: (208)354-8255

81 S 100 E
DRIGGS ID USA 83422

2. Date of Priority: 04/15/1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	45E	25	SE SW SE	TETON ✓	
05N	45E	<i>25 1/2</i>	NE NW	TETON	

5. Description of diverting works:

GATED DIVERSION, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.6	

7. Total Quantity Appropriated is:
1.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED

JUL 02 2007

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04N	45E	3	NW	NE	2	IRRIGATION	25
			NE	NW	3	IRRIGATION	40
Section Acres							65
Total Acres							65

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:

15. Basis of Claim: Beneficial Use

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

SCANNED

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 22-13637

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Leona C. Weston Phone (208) 354-8255
Mailing Address 81 South 100 E DRiggs IDAHO Zip 83422

2. Date of Priority (Only one (1) per claim) APRIL 15 1938

3. Source of water supply (a) teton Creek
which is tributary to (b) teton River

4. a. Location of existing point of diversion is: Township T5N Range R45E Section 25,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of teton

Additional points of diversion if any: T5N R45E NE NW 536

b. If instream flow, beginning point of claimed instream flow is: 0-

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. See File A2200079H

#1 picture of Ditch By "Y"
#2 Gated DIVERSION tag NO. A0013609 (picture)

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JUL 02 2007

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/31 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (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.) _____

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	
~~S15~~	~~40E~~	~~25~~																	
T04N	R45E	03		25 42			40 43												65

Total number of acres irrigated 65

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.
22-75 or None ()

14. Remarks:

Last Name Weston Ident No. _____

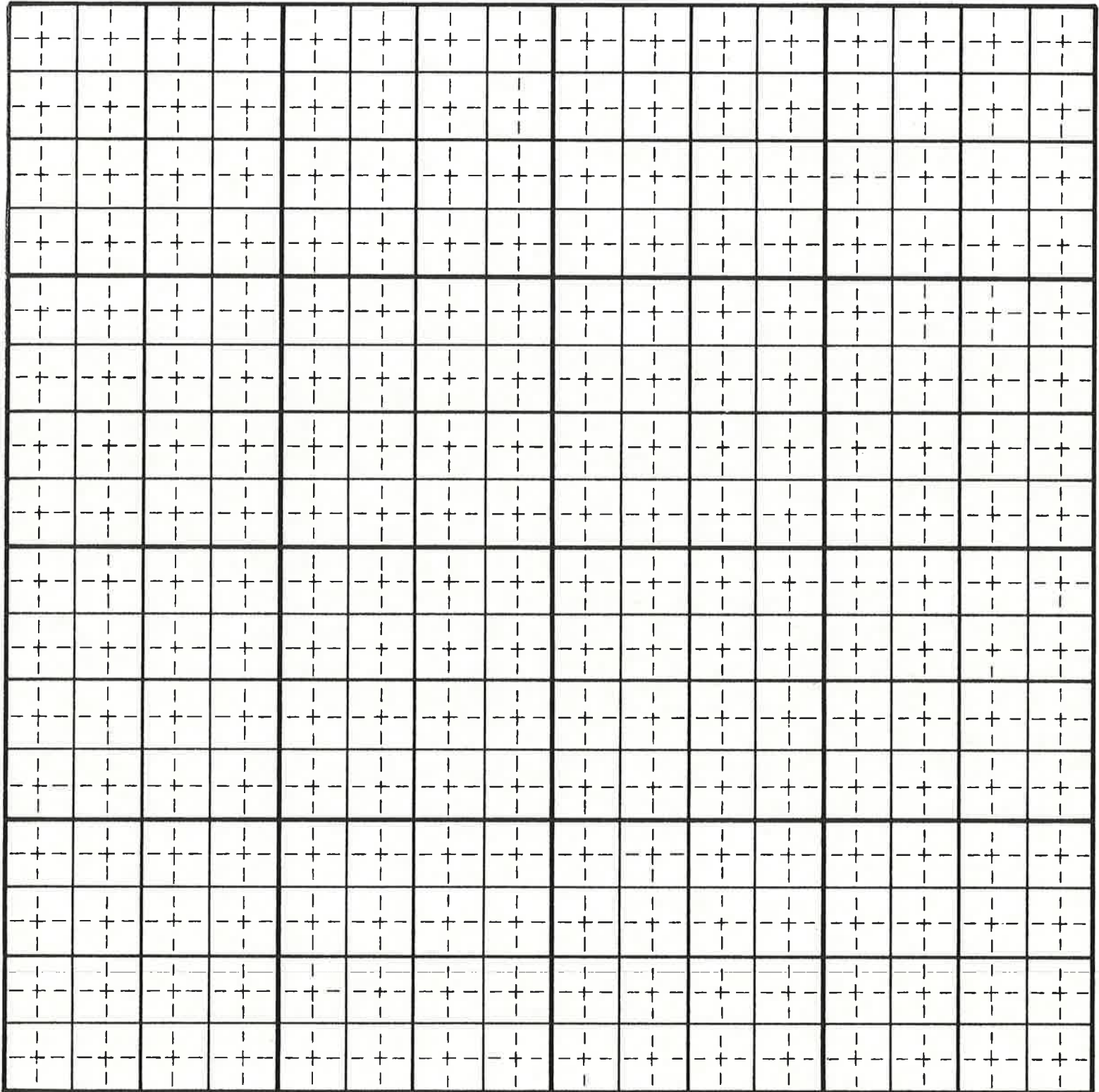
SCANNED

JUL 02 2007 Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

is in File HZZ 000 79 H



Last Name Weston

Ident No. SCANNED

Copies: White-State, Yellow-Claimant

JUL 02 2007

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

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

Signature of Claimant (s) _____

Date 12-05-06

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 Bannock) SS.

Subscribed and sworn (or affirmed) before me this _____

5th day of December, 2006 19

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

Cindy E. Bird

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 _____

SCANNED

Last Name _____ Ident. Number _____

JUL 02 2007

Copies White-State, Yellow-Claimant

12/18/2006

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

RIGHT NUMBER: 22-13637

NAME AND ADDRESS: CINDY WESTON
81 S 100 E
DRIGGS ID 83422

LEON WESTON
81 S 100 E
DRIGGS ID 83422

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.300 CFS

PRIORITY DATE: 04/15/1938

POINT OF DIVERSION:

T05N R45E S36 NWNWNE Within TETON County

T05N R45E S36 SENENW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.300 CFS

PLACE OF USE:

IRRIGATION in TETON County

T04N R45E S03 Lot 2 NWNE 25.00 T04N R45E S03 Lot 3 NENW 40.00

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