

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/9/2022

Water Right 22-13367 (After Split)

Owner Type **Name and Address**
Current Owner GORDON WHITTAKER
780 N 9TH E
REXBURG, ID 83440-5115

Current Owner SHANA WHITTAKER
780 N 9TH E
REXBURG, ID 83440-5115

Priority Date: 1/22/1916

Basis: Decreed

Status: Active

Source
NORTH LEIGH CREEK

Tributary
SPRING CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.230 CFS	
	<u>Total Diversion</u>		1.230 CFS	

Source and Point(s) of Diversion:

NORTH LEIGH CREEK	SWNE	Sec. 27, Twp 06N, Rge 45E, TETON County
NORTH LEIGH CREEK	SWSE	Sec. 27, Twp 06N, Rge 45E, TETON County
NORTH LEIGH CREEK	L2(SWNW)	Sec. 30, Twp 06N, Rge 46E, TETON County

Place of Use:

IRRIGATION within TETON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	27														39.0	23.0		62.0

POU Total Acres: 62.0

Conditions of Approval:

1. X35 Rights 22-429B and 22-13367 when combined shall not exceed the irrigation of 62.0 acres.
2. Water shall not be diverted from the SWSE or the SWNE, Section 27, T06N, R45E until channel losses are determined between the referenced points of diversion and the Center Canal point of diversion in the SWNW, Section 30, T06N, R46E. The calculated channel losses shall be reduced from the diversion rate allowed under this right at the Section 27 points of diversion.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

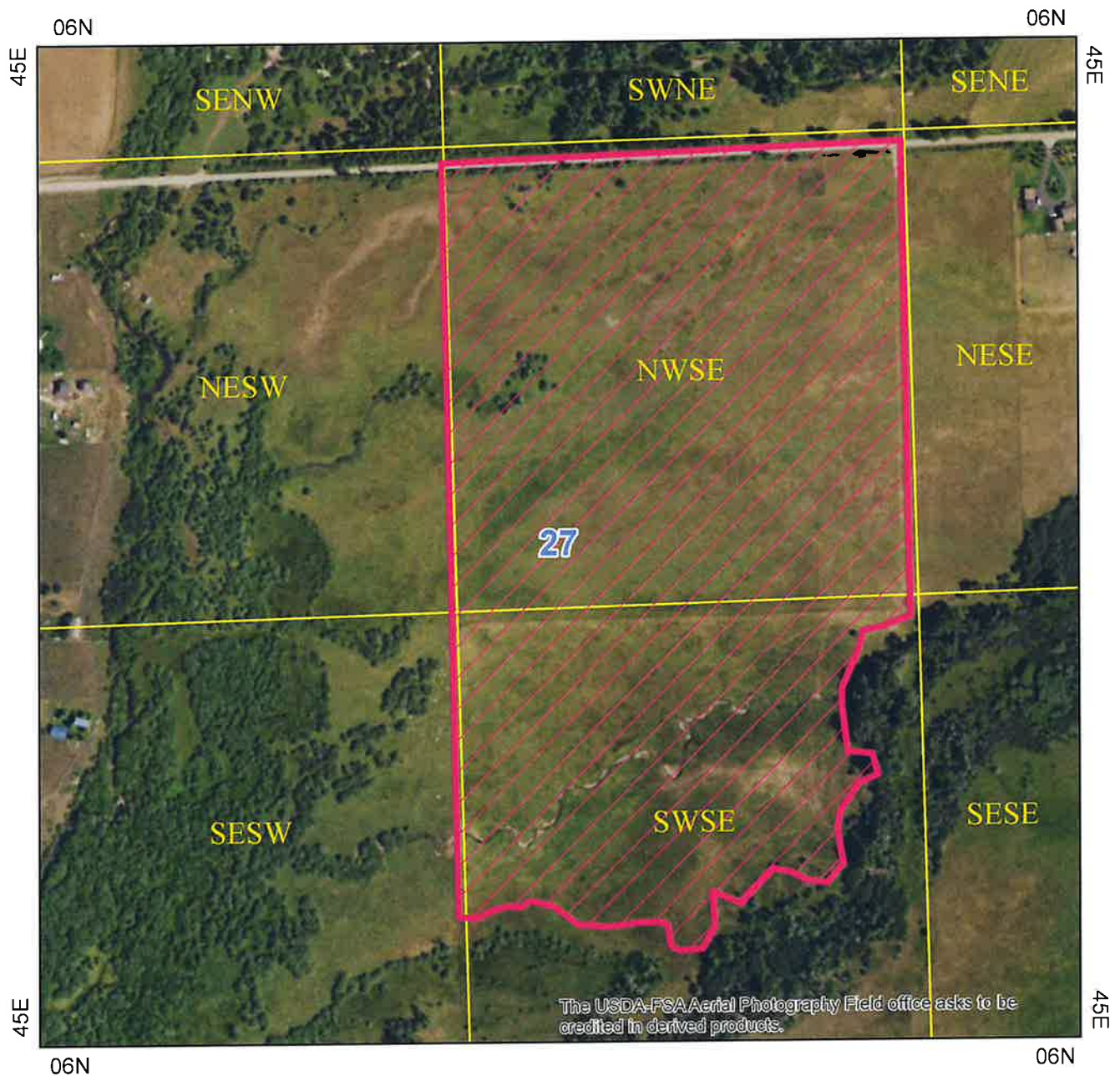
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| 4. | R43 | The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). |
| 5. | F01 | Water is delivered through Center Canal for the Section 30 diversion. |
| 6. | F01 | Water is diverted from Middle Leigh Creek for the Section 27 SWSE diversion. |
| 7. | R59 | This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use. |
| 8. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 9. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 10. | T19 | Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

State of Idaho
Department of Water Resources

Water Rights 22-429B and 22-13367 (After Split)



-  Water Right POU
-  Townships
-  PLS Sections
-  Quarter Quarters

0 375 750 1,500 Feet



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Water Right 22-13367 (Before Split)

Owner Type **Name and Address**
Current Owner WILLIAM J O BRIEN
937 E 8TH N
REXBURG, ID 83440

Priority Date: 1/22/1916

Basis: Decreed

Status: Active

Source **Tributary**
NORTH LEIGH CREEK SPRING CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.760 CFS	
	<u>Total Diversion</u>		1.760 CFS	

Source and Point(s) of Diversion:

NORTH LEIGH CREEK	SWNE	Sec. 27, Twp 06N, Rge 45E, TETON County
NORTH LEIGH CREEK	SWSE	Sec. 27, Twp 06N, Rge 45E, TETON County
NORTH LEIGH CREEK	L2(SWNW)	Sec. 30, Twp 06N, Rge 46E, TETON County

Place of Use:

IRRIGATION within TETON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	27									19.0				8.0	39.0	23.0		89.0

POU Total Acres: 89.0

Conditions of Approval:

1. X35 Rights 22-429B and 22-13367 when combined shall not exceed the irrigation of 89.0 acres.
2. Water shall not be diverted from the SWSE or the SWNE, Section 27, T06N, R45E until channel losses are determined between the referenced points of diversion and the Center Canal point of diversion in the SWNW, Section 30, T06N, R46E. The calculated channel losses shall be reduced from the diversion rate allowed under this right at the Section 27 points of diversion.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. R43 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(s).
5. F01 Water is delivered through Center Canal for the Section 30 diversion.
6. F01 Water is diverted from Middle Leigh Creek for the Section 27 SWSE diversion.

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| 9. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 10. | T19 | Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |