

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72553

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

MAY 06 2003

PART 1

Department of Water Resources

Eastern Region

Name of applicant LEIGH CREEK CANAL COMPANY Phone 208-456-2845Post Office address 446 N HWY 33 TOWNIA, ID 83452

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____

WE WOULD LIKE TO USE SOME OF OUR WATER FOR ~~WATER~~
RECREATIONAL / AESTHETIC USE. IT WILL BE USED TO FILL A
POND OF .6 ACRES OF SURFACE AREA, AND AN ESTIMATED VOLUME OF 105,000 cu ft. (2.4 ac ft)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 22-608 Priority 1/22/1916 Amount (cfs/ac-ft) .5 Nature of Use REL / AESTHETIC APPLIC Period of Use to OCT 1
2. Total amount of water being transferred .5 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water SOUTH LEIGH CR tributary to TETON RIVER
4. Point(s) of Diversion: SEE DESCRIPTION

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
								<u>HOG CREEK - WYOMING</u>
								<u>LEIGH CR CANAL</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	45E	4							40	39.5									79.5
									39.5	40									
5N	45E	4							.5										.5
									A										

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Total acres 80.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 22553

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

MAY 06 2003

PART 1

Department of Water Resources
Eastern RegionName of applicant LEIGH CREEK CANAL COMPANY Phone 208-456-2845
Post Office address 446 N HWY 33 TWINA, ID 83452

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B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 22-608 Priority 1/22/1916 Amount (cfs/ac-ft) .5 Nature of Use REL/AESTHETIC APRIL Period of Use to OCT 1
_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred .5 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water SOUTH LEIGH CR. tributary to TETON RIVER
4. Point(s) of Diversion: SEE DESCRIPTION

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
								<u>LEIGH CR CANAL - WYOMING</u>
								<u>LEIGH CR CANAL</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	45E	4							40	39.5									79.5
									40	39.5									
5N	45E	4							.5										.5
									A										

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Total acres 80.5

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PART 1

6. General Information:

a. Description of diversion system LEIGH CR CANAL
FOR CANAL - A HEADGATE SYSTEM. THAT
COMES OUT OF WYOMING.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

RIGHT NOW WE FLOOD IRRIGATE THE LAND AND WE ~~WILL~~ WILL
HAVE SUFFICIENT WATER TO CONTINUE THE FLOOD IRRIGATION
ON THE ~~TRANSFERRED~~ LAND. NO EFFECT

d. Remarks:

* WE WOULD LIKE TO CHANGE A PORTION OF OUR RIGHT TO REL/AESTHETIC
* THE REMAINING PORTION OF THE (SMALLER) LAND RIGHT
IS UNCHANGED.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

72553

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Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 22-608 Decreed to LEIGHT CREEK CANAL COMPANY
in case of _____ vs. _____
dated 1/22/1916 in TETON, IDAHO county of TETON
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A22-608 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water SOUTH LEIGHT CR tributary to TETON RIVER

4. Date or priority 1/22/1916

5. Water is used for the following purpose:

amount 1.8945 for IRRIGATION purposes from APRIL 1 to OCT 1
(cfs/ac-ft)
amount 52.5055 for IRRIGATION purposes from APRIL 1 to OCT 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 54.4 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: SEE DESCRIPTION.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
								LEIGHT CREEK - WYOMING
								LEIGHT CR CANAL

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	45E	4							40										40
5N	45E	4							ILL 40										40
									ILL										

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Eastern Region

Total acres 80

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) .5 for RRR / AGRICULTURE purposes from APRIL 1 to OCT 1
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: 2 LEGH CR CANAL
NEAR LARSEN - WYOMING

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>45E</u>	<u>4</u>								<u>.5</u>									<u>.5</u>

Total acres .5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.3945 for IRRIGATION purposes from APRIL 1 to OCT 1
 (cfs/ac-ft) 53.005 for IRRIGATION purposes from APRIL 1 to OCT 1
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: 2 LEGH CR CANAL
NEAR LARSEN - WYOMING

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

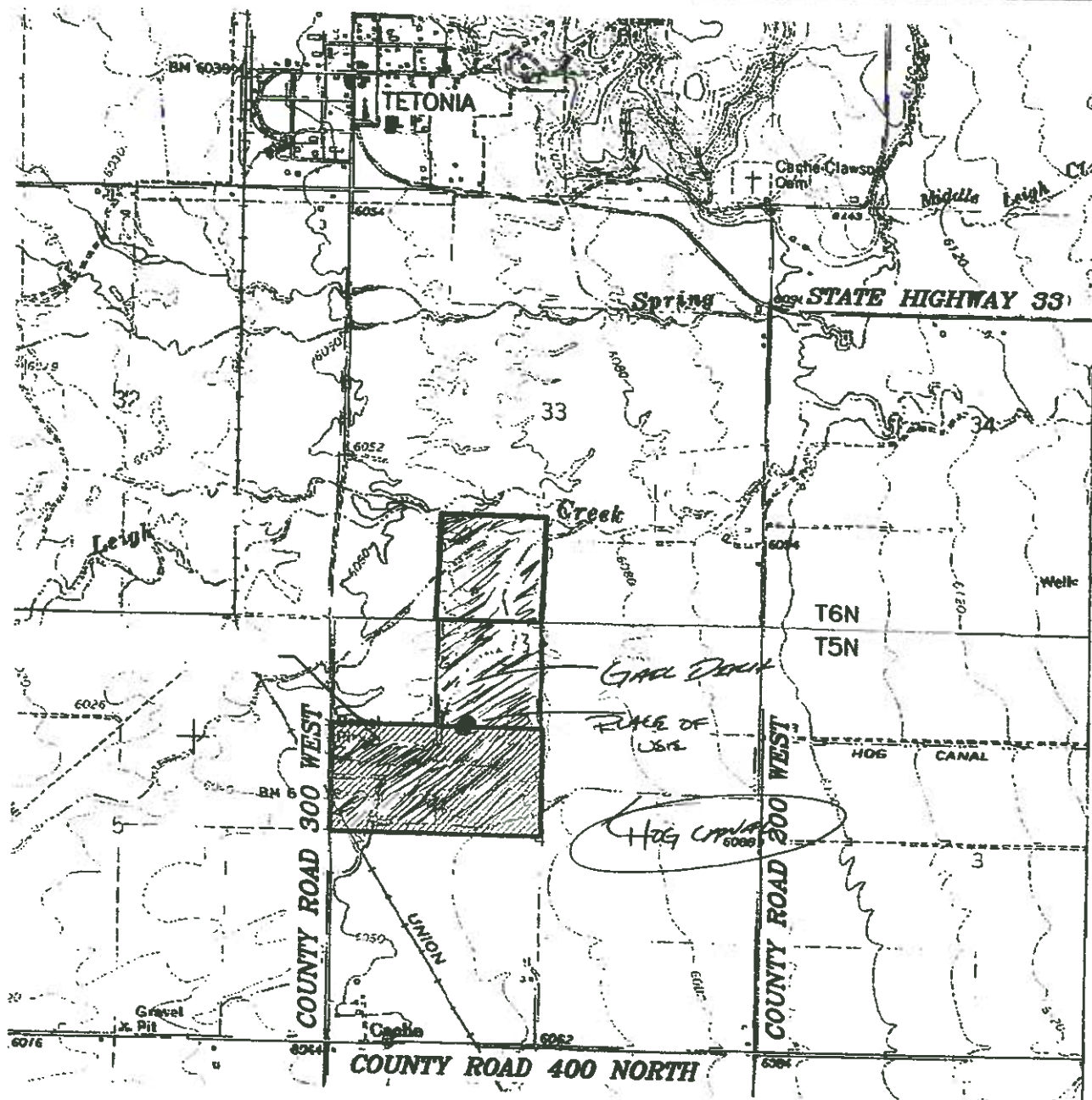
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>45E</u>	<u>4</u>								<u>40.395</u>									<u>79.5</u>

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Department of Water Resources
 Eastern Region

Total acres 79.5



VICINITY MAP

SECTION 4, T5N, R45E,
SECTION 33, T6N, R45E, B.M.
TETON COUNTY, IDAHO

SCALE: 1" = 2000'

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Eastern Region

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	RECREATION / ARTISTIC	.5 CFS	6 DAYS/YR	APRIL to OCT 1

2. Quantity and quality of return flows and location of discharge:

QUANTITY OF SUB FLOW INTO GRACE - McFERTY DITCH IS LESS.

3. Describe effects on other water uses resulting from the proposed change:

LITTLE EFFECT. WE HAVE SUFFICIENT WATER FOR WHAT WE DO.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
R.P. OWNER OF PROPERTY

Subscribed and sworn to before me this

24th

[Signature]
(Signature of Applicant)

day of April

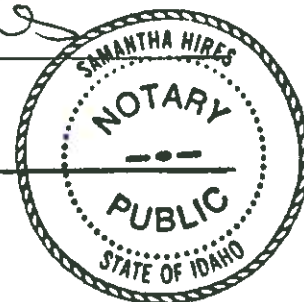
2003

[Signature]

(Notary Public)

My commission expires

2/25/08



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 9 attachments

Received by _____ Date _____

Protest filed by _____

Prelim. check by _____ Fee 250

Receipted by SC Date 11/22/05

E031465

Published in Teton Valley News

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

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Department of Water Resources
Eastern Region

72553

147850

T9557

WARRANTY DEED

For Value Received **Robert L. Gill, a married man** as his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

William Statter and Frances G. Statter, husband and wife

whose address is: **159 Bingham Ave., Rumson, NJ 07760**

Hereinafter called the Grantee, the following described premises situated in **Teton** County, Idaho, to-wit:

S1/2NW1/4 Section 4, Township 5, Range 45 East Boise Meridian, Teton County, Idaho.

SUBJECT TO an easement for ingress and egress described as follows: Beginning at the NW corner of the S1/2NW1/4 of Section 4, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho and running East 1377.55 feet, thence South 60 feet; thence West 1377.55 feet; thence North 60 feet to the point of beginning.

TOGETHER WITH all appurtenant water rights

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 25, 2002

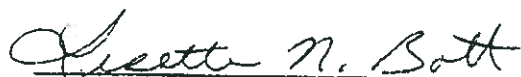

Robert L. Gill

STATE OF *Idaho*

ss.

COUNTY OF TETON

On this 25th day of April, 2002, before me, a Notary Public, personally appeared Robert L. Gill, known or identified to me (as provided to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public of *Idaho*
Residing at: *Tetonia, Id.*
Commission Expires: *1-3-06*



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NOV 11 2002

T 72553

ATTACHMENT 1 OF 9

72553



First Interstate Bank
Main Office
842 W. Broadway
P.O. Box 11095
Jackson, WY 83002
307 734-7373

First Interstate Bank
Albertson's Office
105 Buffalo Way
P.O. Box 11095
Jackson, WY 83002
307 732-0194

April 22, 2003

State of Idaho – Department of Water Resources

Re: Statter – Application for Transfer of Water Right

To Whom It May Concern:

Harry and William Statter asked that I write this letter approving a transfer of water rights associated with two 80-acre parcels of ground located in Teton, ID. First Interstate Bank currently has in place two real estate mortgages, one on each 80-acre parcel. The following are the two legal descriptions associated with the 80-acre parcels:

Lot 3 Section 4, Township 5 North and the SE1/4SW1/4, Section 33, Township 6 North, all Range 45 East Boise Meridian in Teton County, State of Idaho. TOGETHER WITH an easement for ingress and egress described as follows: Beginning at the NW corner of the S1/2NW1/4 of Section 4, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho and running East 1377.55 feet; thence South 60 feet, thence West 1377.55 feet; thence North 60 feet to the point of beginning.

AND

S1/2NW1/4 Section 4, Township 5, Range 45 East Boise Meridian, Teton County, Idaho.

First Interstate Bank does hereby approve of the water transfer right to accommodate recreational and aesthetic uses.

Should you have any questions regarding this letter please feel free to call me at (307) 732-7850.

Regards,

Lance Ash
Consumer Loan Officer

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Department of Water Resources
Eastern Region

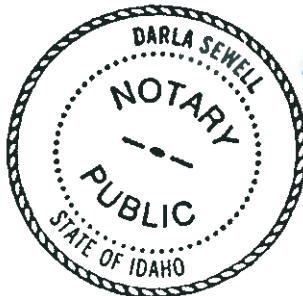
ATTACHMENT T 72553
2 OF 9

State of }
County of Teton } ss.
}

On this 25th day of April, 2003, before me, a Notary Public in and for said state,
personally
appeared Verl C. Tardine

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first
above written.



Darla Sewell
Notary Public for the State of IDAHO
Residing at: Driggs
Commission Expires: 7/23/07

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ATTACHMENT 3 OF 9

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Eastern Region

**Leigh Creek Canal Company
Tetonia, Idaho
Pond Dimensions**

Surface Area: **.6 acres**

Volume of Pond*: **2.41 acre ft**

*Volume has been estimated by figuring the mean depth of the pond multiplied by the pond surface area.

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Department of Water Resources
Eastern Region

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ATTACHMENT 4 OF 9

72553

Leigh Creek Canal Company
Pond Consumptive Use Calculation

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Annual FWS Evaporation	35	35	35	35	35	35	35	35	35	35	35	35	35.00
Monthly Distribution %	1.00%	2.00%	4.00%	7.00%	12.00%	15.00%	19.00%	16.00%	11.00%	6.00%	4.00%	3.00%	0.08
Monthly FWS Evaporation (in/mo)	0.35	0.7	1.4	2.45	4.2	5.25	6.65	5.6	3.85	2.1	1.4	1.05	2.92
Avg. Total Precipitation (in/mo)*	1.68	1.09	1	1.28	2.04	1.78	1.06	1.1	1.26	1.24	1.06	1.44	1.34
Pond Loss (Evap.-Precip.,in)	0	0	0.4	1.17	2.16	3.47	5.59	4.5	2.59	0.86	0.34	0	1.76
Pond Surface Area (acres)	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.60
Total Pond Loss (ac-in)	0	0	0.24	0.702	1.296	2.082	3.354	2.7	1.554	0.516	0.204	0	1.05
Total Pond Loss (ac-ft)	0	0	0.02	0.0585	0.108	0.1735	0.2795	0.225	0.1295	0.043	0.017	0	0.09
Irrigation Consumption													
Mean Irrig. Requirement (in/seas)	Alfalfa	22.3											
Mean Irrig. Requirement (ft/seas)	Alfalfa	1.86											
Acres to dry up for pond use	Alfalfa	0.05											

*Molnau, Myron, Kpordze, Kojo C.S., and Craine, Katherine L., 1992. Monthly shallow pond evaporation in Idaho. ASAE paper PNW 92-111

**Data recorded at Tetonia Experiment Stn, Idaho between 5/18/1952 to 3/31/2005. See attached.

***Appendix E of the University of Idaho report: "Estimating Consumptive Irrigation Requirements for Crops in Idaho" published in 1983 by R.G. Allen and C.E. Brockway. See attached

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Eastern Region

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ATTACHMENT 5 OF 9

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Back to:

[State Map](#)

[Western U.S. map](#)

[Home Page](#)

NOTE:

To print data frame (right side), click on right frame before printing.

1971 - 2000

- [Daily Temp. & Precip.](#)
- [Daily Tabular data \(~23 KB\)](#)
- [Monthly Tabular data \(~1 KB\)](#)
- [NCDC 1971-2000 Normals \(~3 KB\)](#)

1961 - 1990

- [Daily Temp. & Precip.](#)
- [Daily Tabular data \(~23 KB\)](#)
- [Monthly Tabular data \(~1 KB\)](#)
- [NCDC 1961-1990 Normals \(~3 KB\)](#)

Period of Record

- [Station Metadata](#)
- [Station Metadata Graphics](#)

General Climate Summary

- [Tables](#)
- [Temperature](#)
- [Precipitation](#)
- [Heating Degree Days](#)

TETONIA EXPERIMENT STN, IDAHO (109065)

Period of Record Monthly Climate Summary

Period of Record : 5/18/1952 to 3/31/2005

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	28.1	32.8	39.3	50.0	61.6	70.7	80.5	79.1	69.4	56.7	39.5	29.7	53.1
Average Min. Temperature (F)	5.8	8.7	15.7	25.4	33.0	39.5	45.0	43.3	35.5	27.0	16.5	8.0	25.3
Average Total Precipitation (in.)	1.68	1.09	1.00	1.28	2.04	1.78	1.06	1.10	1.26	1.24	1.06	1.44	16.03
Average Total Snowfall (in.)	12.1	1.8	1.4	1.1	0.4	0.0	0.0	0.0	0.3	0.6	4.4	8.5	30.6
Average Snow Depth (in.)	1	1	0	0	0	0	0	0	0	0	0	2	0

Percent of possible observations for period of record.

Max. Temp.: 90.9% Min. Temp.: 90.6% Precipitation: 94.1% Snowfall: 64.1% Snow Depth: 60.2%

Check [Station Metadata](#) or [Metadata graphics](#) for more detail about data completeness.

Western Regional Climate Center, wrccl@tri.edu

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Eastern Region

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ATTACHMENT

Tetonia Exp. Station Consumptive Use from Allen and Brockway 83

** Monthly average daily (mm/day) and Seasonal Totals (mm) **

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
ETr									
MEAN ETr	0.62	3.43	5.55	7.18	7.99	6.52	4.70	2.55	1181.
STDV ETr	0.46	0.55	0.49	0.41	0.31	0.34	0.49	0.37	46.
Alfalfa Hay									
MEAN CU			3.38	6.51	6.58	4.83	2.12		716.
MEAN IR			2.32	5.04	5.83	4.05	1.39		567.
STDEV CU			0.30	0.37	0.25	0.25	0.22		21.
STDEV IR			0.67	0.95	0.68	0.66	0.67		58.
Silage Corn									
MEAN CU				2.16	4.26	6.15	4.21	1.59	562.
MEAN IR				1.10	3.64	5.33	3.41	0.95	438.
STDEV CU				0.12	0.16	0.32	0.44	0.23	21.
STDEV IR				0.59	0.54	0.72	0.86	0.53	50.
Potatoes									
MEAN CU			1.66	3.34	6.61	5.25	3.18		614.
MEAN IR			0.97	2.46	6.05	4.65	2.60		510.
STDEV CU			0.15	0.19	0.26	0.27	0.33		19.
STDEV IR			0.41	0.55	0.54	0.55	0.63		44.
Spring Grain									
MEAN CU			1.74	5.34	7.97	5.51	1.01		662.
MEAN IR			0.92	4.17	7.25	4.80	0.42		537.
STDEV CU			0.15	0.30	0.31	0.28	0.10		18.
STDEV IR			0.47	0.77	0.68	0.63	0.50		49.
Winter Grain									
MEAN CU	0.19	1.73	5.21	7.18	7.99	4.44			820.
MEAN IR	-0.19	1.10	4.10	5.76	7.22	3.74			663.
STDEV CU	0.14	0.28	0.46	0.41	0.31	0.23			26.
STDEV IR	0.27	0.47	0.81	0.96	0.72	0.60			61.
Pasture									
MEAN CU			3.26	5.53	6.16	5.02	3.62	1.96	782.
MEAN IR			2.25	4.21	5.45	4.26	2.84	1.31	618.
STDEV CU			0.29	0.32	0.24	0.26	0.37	0.28	26.
STDEV IR			0.64	0.84	0.64	0.65	0.80	0.57	61.

End of Data Set

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ATTACHMENT 7 OF 9

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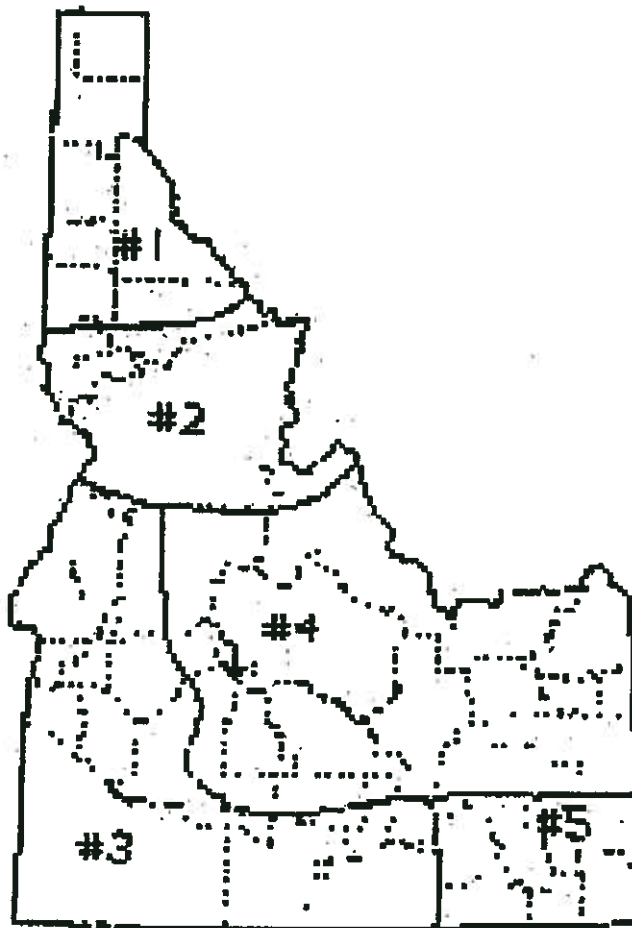
Department of Water Resources
Eastern Region

MONTHLY SHALLOW POND EVAPORATION IN IDAHO

Molnau, Myron, Kpordze, Kojo C.S., and Craine, Katherine L., 1992. Monthly shallow pond evaporation in Idaho. ASAE paper PNW 92-111
 (http://snow.ag.uidaho.edu/publications/pond_evap/pond.html#TABLE%201)

TABLE 1. Monthly shallow lake evaporation percentages for Idaho to be used with the map showing regions of monthly FWS evaporation

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1.0	1.5	3	9	12	14	19	18	11	6	4	1.5
2	0.5	1.5	3	8	12	15	19	17	11	6	4	3
3	0.5	1.5	4	8	14	15	17	16	10	6	5	3
4	1.0	2.0	4	7	12	15	19	16	11	6	4	3
5	1.0	3.0	5	10	12	14	16	15	10	6	5	3



Regions of Monthly FWS Evaporation

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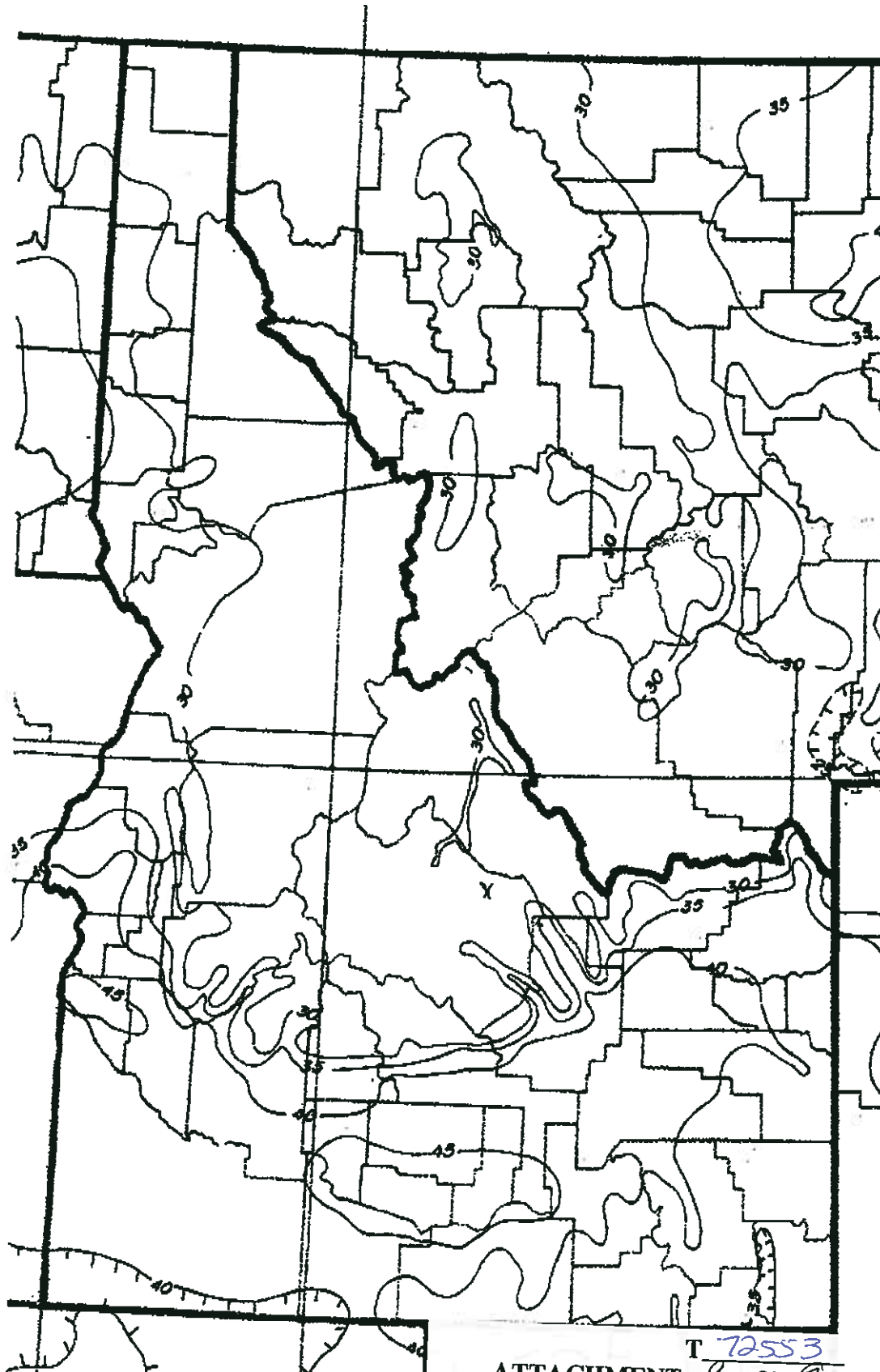
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ATTACHMENT 8 OF 9

Annual FWS Evaporation Map

T_{EROW} = 35



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Eastern Region

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