

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13160 V1

WATER RIGHT NUMBER: 22-13160 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST C/O HOLDEN KIDWELL HAHN & CRAPO PO BOX 50130 IDAHO FALLS, ID 83405 (208)523-0620
Trustee	BOYD C SMITH C/O HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405 (208)523-0620

Priority Date: 01/18/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH LEIGH CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.630 CFS	
	<u>Total Diversion:</u>	0.630 CFS	

Location of Point(s) of Diversion

SOUTH LEIGH CREEK	L1 (NE1/4NW1/4NE1/4)	Sec. 32,	Twp 06N,	Rge 45E, B.M.
TETON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	36	39.0																39.0
06N	46E	30								3.6	7.0	32.0	37.0	34.0	14.0	39.0	39.0		205.6
											L 3	L 4							
06N	46E	31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
								L 1	L 2										
06N	46E	32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
				L 1	L 2										L 3	L 4			

Total Acres: 688.9

Conditions of Approval:

SCANNED

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1. F15 The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 6 NESENE (L2), 6PM.
The point of diversion shown above is where the conveyance system enters Idaho.
2. K06 This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
3. 158 The quantity of water diverted under this water right shall be from the portion awarded to IDAHO and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
4. F01 Water is delivered through Killpack Pipeline.
5. 160 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.
6. C02 Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
9. E56 The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.
10. P21 This right is a split from former right 22-208.
11. E56 The rights listed below are limited to the irrigation of a combined total of 688.9 acres in a single irrigation season. Combined Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160.
12. C18 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.

Remarks:Comments:

1. agolart 5/25/2006 certificate number

Comment: Title Wyoming certificate query completed on Wyoming office of engineers webpage. Failed to find Wyoming certificate number.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits: