

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/23/2026

Water Right 22-13873

After Split

Owner Type **Name and Address**
Current Owner CHERRY GROVE LLC
849 SOMERSET LN
VICTOR, ID 83455-1225
(410) 935-6643

Priority Date: 6/1/1897

Basis: Decreed

Status: Active

Source
FOX CREEK

Tributary
TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.050 CFS	
FIRE PROTECTION STORAGE	01/01	12/31		3.5 AF
DIVERSION TO STORAGE	04/15	10/31	0.020 CFS	
<u>Total Diversion</u>				

Source and Point(s) of Diversion:

FOX CREEK	L4(SWSWNE)	Sec. 29, Twp 04N, Rge 46E, TETON County
FOX CREEK	L6(NENWNE)	Sec. 30, Twp 04N, Rge 46E, TETON County
FOX CREEK	NWSENW	Sec. 30, Twp 04N, Rge 46E, TETON County

Place Of Use:

FIRE PROTECTION STORAGE within TETON County

T04N R46E S18 L4 SWSW

IRRIGATION within TETON County

T04N R46E S18 L4	SWSW	33.3
T04N R46E S18	SESW	39.3
T04N R46E S19 L1	NWNW	38.8
	Right Acre Limit	69.50
	POU Total Acres	111.40

Conditions of Approval:

1. K06 This right is limited to the irrigation of 69.5 acres within the place of use described above in a single irrigation season.

Proof Report

2. E56 The rights listed below are limited to the irrigation of a combined total of 111.4 acres in a single irrigation season. Combined Right Nos.: 22-13873, 22-13875.
3. The pond established by the storage of water under this right and right 22-13875 shall not exceed a total capacity of 4.5 acre feet or a total surface area of 0.5 acres.
4. This right and right 22-13875 authorizes the diversion of an annual total of 5.4 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation from the pond.
5. The right holder shall install and maintain an impermeable liner in pond to eliminate seepage losses.
6. 077 Water shall not be diverted from the fire protection storage pond authorized under this right except to fight or repel an existing fire.
7. R05 Use of water under this right will 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.
8. 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).
9. F01 Water is delivered through Fox Creek Canal.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. 205 The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
12. X60 Place of use is located within Cherry Grove Subdivision.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. 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.
15. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Dates and Other Information:

Decreed Date: 3/24/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

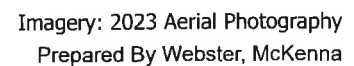
Water District Number: TBD

Mitigation Plan: False

Combined Use Limits:

N/A

CHERRY GROVE LLC



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FOX CREEK

Tributary

TETON RIVER

Beneficial Use

IRRIGATION

From

04/15

To

10/31

Diversion Rate

1.090 CFS

Volume

3.5 AF

FIRE PROTECTION

01/01

12/31

STORAGE

DIVERSION TO STORAGE

04/15

10/31

0.020 CFS

Total Diversion

1.110 CFS

Source and Point(s) of Diversion:

FOX CREEK

L4(SWSWNE)

Sec. 29, Twp 04N, Rge 46E, TETON County

FOX CREEK

L6(NENWNE)

Sec. 30, Twp 04N, Rge 46E, TETON County

FOX CREEK

NWSNW

Sec. 30, Twp 04N, Rge 46E, TETON County

Place Of Use:**FIRE PROTECTION STORAGE within TETON County**

T04N R46E S18 L4

SWSW

IRRIGATION within TETON County

T04N R46E S18 L4

SWSW

38.0

T04N R46E S18

SESW

39.3

T04N R46E S19 L1

NWNW

38.8

Right Acre Limit

72.40

POU Total Acres

116.10

Conditions of Approval:

1.

K06

This right is limited to the irrigation of 72.4 acres within the place of use described above in a single irrigation season.

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|-----|-----|--|
| 2. | E56 | The rights listed below are limited to the irrigation of a combined total of 116.1 acres in a single irrigation season. Combined Right Nos.: 22-13873, 22-13875. |
| 3. | | The pond established by the storage of water under this right and right 22-13875 shall not exceed a total capacity of 4.5 acre feet or a total surface area of 0.5 acres. |
| 4. | | This right and right 22-13875 authorizes the diversion of an annual total of 5.4 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation from the pond. |
| 5. | | The right holder shall install and maintain an impermeable liner in pond to eliminate seepage losses. |
| 6. | 077 | Water shall not be diverted from the fire protection storage pond authorized under this right except to fight or repel an existing fire. |
| 7. | R05 | Use of water under this right will 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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State or Federal: S
Owner Name Connector: Or
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

State of Idaho
Department of Water Resources

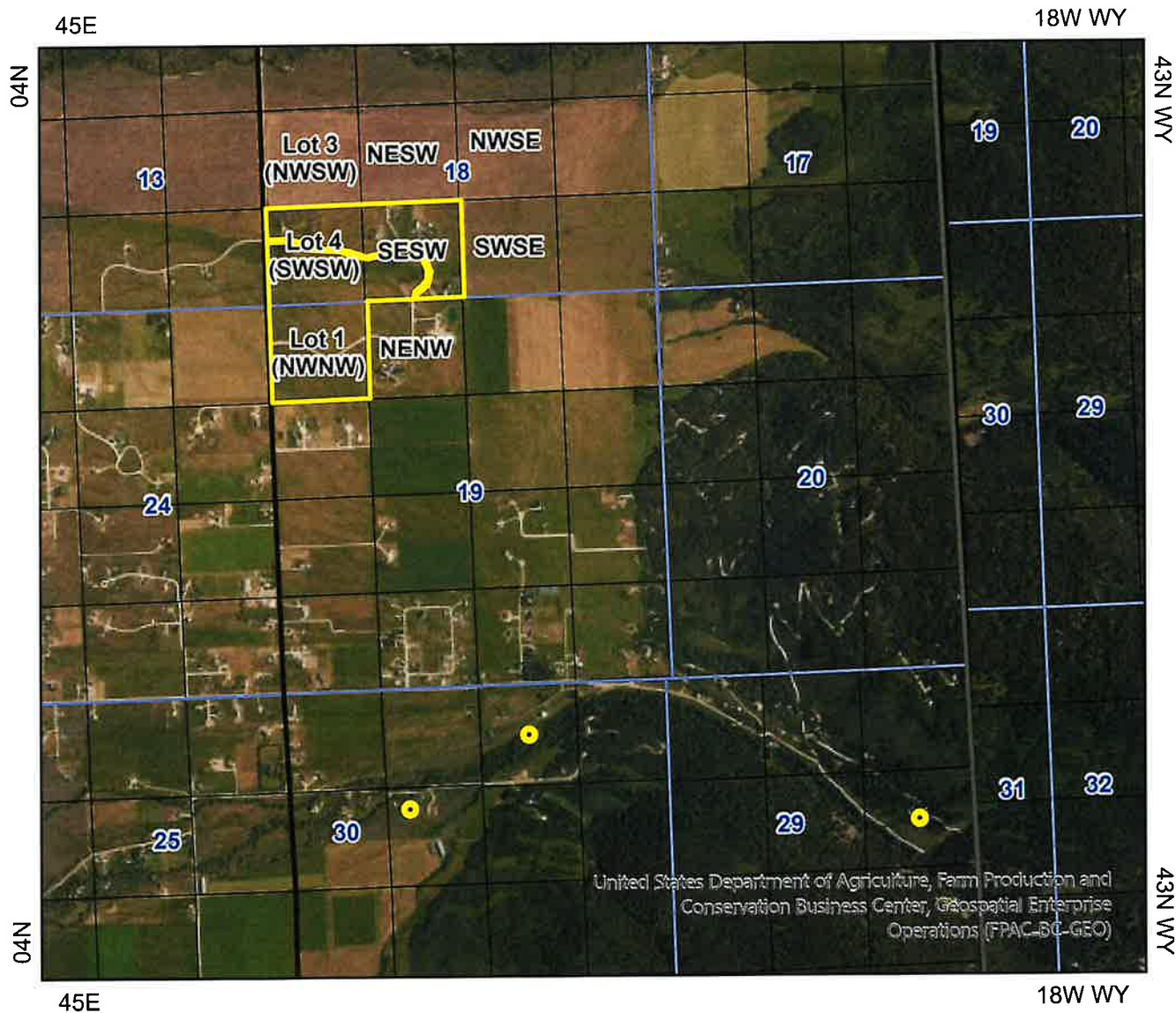
Water Right

22-13873, ~~22-13875~~

(IRRIGATION)

CHERRY GROVE LLC

Before Split



- Point of Diversion
- Place Of Use Boundary
- State Outline
- Townships
- Sections
- Quarter Quarters



0 0.35 0.7 1.05 1.4 Miles



Imagery: 2023 Aerial Photography
Prepared By Webster, McKenna