



WATER-RIGHT DOCKET

Grand Teton National Park

Docket No: 73

GUNTHER DITCH. BUDGE SLOUGH

Preliminary Docket Information

04-11-1955: water right record for gunther ditch: identification no. grte r3043115bf14; permit 17733; certificate 47-555

WATER RIGHT RECORD

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Docket Number 14

Alien WR Number

Water Use Map NP-GT 2174

Sheet Number 2

IDENTIFICATION NO: GRTE R 3 0 4 3 1 1 5 B F 1 4

DITCH/WATER SYSTEM: GUNTHER DITCH

SOURCE OF SUPPLY: Budge Slough, Tributary to Ditch Creek, Tributary of the Snake River

LOCATION:

Legal description and tie:
(Point of Diversion)

Headgate Location: S 62°, 00' W, 880 feet from East quarter corner of Section 30, Township 43 North, Range 115 West.

WATER RIGHT:

Appropriator: Henry Gunther

Certificate Record Number: 47-555

Permit Number: 17733

Date of priority: July 10, 1930

Quantity of Water: 2.17 c.f.s.

Purpose: Irrigation and Domestic

Irrigate Land Description:

(T 43 N, R 115 W)

38 acres - NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30

40 acres - NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30

15 acres - SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30

29 acres - NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30

30 acres - SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19

152 acres - Total

SUMMARY OF STATUS:

The above land was conveyed to the National Park Service by Dr. William Fife Gordon and Frances Gordon by National Park Service Deed Number 9, dated April 11, 1955.

- Docket 73
- A. Gunther Ditch
1. Permit 17733
 - a. Map
 - b. Application - permit (not provided)
 - c. Certificate 47-555
 2. Permit 4912E
 - a. Map
 - b. Application - permit (not provided)
 - c. Certificate 49-381
- Docket 74

Part IV - GROS VENTRE RIVER

Docket 75	A. Savage Ditch	
	1. Permit 2855E	
	a. Map	
	b. Application - permit (not provided)	
	c. Certificates 43-89 and 44-399	
Docket 76	2. Permit 4335E	
	a. Map	
	b. Application - permit (not provided)	
	c. Certificate 45-172	
Docket 77	3. Permit 4975E	
	a. Map	
	b. Application - permit	
	c. Certificates 52-245, 52-246, 52-247, 52-248, 52-249, 52-250, 52-251, 52-252 and 52-253	
Docket 78	4. Permit 10707	
Docket 79	5. Permit 5782	

*See
Related
Dockets*

Part III-Budge Slough

<u>Application</u>	<u>Certificate</u>	<u>Appropriator</u>	<u>Priority</u>	<u>Present Ownership</u>
Gunther Ditch				
17733	47-555	Henry Gunther	July 10, 1930)	Dr. W. F. Gordon
4912E	49-381	" "	Aug. 21, 1935)	

Note: This "source" is actually only waste water from Savage, Mud Springs (Mormon Row), and Hot Springs Ditches, returned to a natural channel along the base of Black Tail Butte. This slough may be spring fed during wet periods but this is seldom, if ever, the case during the irrigation seasons.

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STATE ENGINEER'S OFFICE

Cheyenne

February 23, 1955

Paul
Dunn

Mr. Thomas J. Allen,
Assistant Director,
National Park Service,
United States Department of the Interior
Washington 25, D. C.

Ref: L54L.

Dear Mr. Allen:

In reply to your letter of February 8, 1955, regarding among other matters, the conflict of in the National Park Service's application for Fourth Enlargement of the Savage Ditch from Gros Ventre River, under our temporary filing No. 16 2/252, with Permit No. 11648 for the Gros Ventre Canal, also from the Gros Ventre River, you naturally would not find any reference to it in the book of adjudicated water rights, since only water rights for which certificates of appropriation have been issued are included in the tabulation.

The terms under Permit No. 11648 were never fulfilled, the description in part and its status as taken from the records in the State Engineer's Office being as follows:

Permit No. 11648 - Gros Ventre Canal - Source Gros Ventre River - Appropriator Teton Irrigation Company - Priority Dec. 24, 1912 - For irrigation of 17,963.38 acres, including:

40 Acres - NE $\frac{1}{4}$ SW $\frac{1}{4}$

40 " - NW $\frac{1}{4}$ SW $\frac{1}{4}$

40 " - SW $\frac{1}{4}$ SW $\frac{1}{4}$

40 " - SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 43 N., R. 115 W.,

being same lands described in the application for Fourth Enlargement of Savage Ditch.

Time for completion was extended from time to time. Last extension of time for completion expired December 31, 1936, with no work of record being done. Request for an extension of time for completion from Karl E. Albert received October 29, 1936, was denied by John D. Quinn, then State Engineer.

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I believe this answers your question regarding any possibility of reinstating this earlier priority. But since the permit is still of record it is required that the State Engineer be requested and authorized to eliminate any lands under the permit in conflict with pending application, that the record may be cleared before approval can be given the application.

The proper form has been typed up and enclosed for your convenience.

The following lands have been adjudicated under the Savage Ditch, which total acres were corrected in 60 of the application as mentioned in our previous letter:

Permit No. 10707 - Savage Ditch - Source Gros Ventre River
Appr. Hilmer Bark - Priority May 15, 1911 - For irrigation of 80 acres described as:

40 Acres - NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 42 N., R. 115 W.
(C. R. 43, page 91)

Appr. Robert E. Miller - For irrigation of 180 acres described as:

40 Acres - NE $\frac{1}{4}$ SW $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ SW $\frac{1}{4}$
20 " - NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - NW $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 42 N., R. 115 W.
(C. R. 45, page 505)

Permit No. 2855 Enl. - Enl. Savage Ditch - Source Gros Ventre River - Appr. Mae O. Kafferlin - Priority Feb. 17, 1913 - For irrigation of 75 acres described as:

40 Acres - SW $\frac{1}{4}$ NW $\frac{1}{4}$
35 " - SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 42 N., R. 115 W.
(C. R. 43, page 89)

Appr. Hilmer Bark - For irrigation of 40 acres described as:

40 Acres - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 42 N., R. 115 W.
(C. R. 44, page 399)

Permit No. 4335 Enl. - 2nd Enl. Savage Ditch - Source Gros Ventre River - Appr. Chas. J. Allen - Priority April 1, 1922 - For irrigation of 20.68 acres supplemental supply for lands under Kissinger Ditch, Permit No. 1078 Enl., and described as:

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11.50 Acres - NW $\frac{1}{4}$ NE $\frac{1}{4}$
9.18 " - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 42 N., R. 115 W.
(C. R. 45, page 172)

Permit No. 4975 Enl. - 3rd Enl. Savage Ditch - Source Gros
Ventre River - Appr. Joseph A. May - Priority June 18,
1934 - 100 acres Supplemental Supply for lands under Enl.
Mud Springs Ditch, Permit No. 4555 Enl., described as:

40 Acres - Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
40 " - Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
20 " - Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 3, T. 42 N., R. 115 W.
(C. R. 52, page 245)

Appr. Hannes Harthoorn - Supplemental supply for 320 acres
under Enl. Johnson & Eggleston Ditch, Permit No. 2644 Enl.,
Supplemental Supply Ditch, Permit No. 17937 and described as:

40 Acres - NE $\frac{1}{4}$ NW $\frac{1}{4}$
40 " - NW $\frac{1}{4}$ NW $\frac{1}{4}$
40 " - SW $\frac{1}{4}$ NW $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ NW $\frac{1}{4}$
40 " - NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - NW $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 43 N., R. 115 W.
(C. R. 52, page 246)

Appr. Mae O. Kafferlin - 29 acres original supply described as:

27 Acres - NE $\frac{1}{4}$ NE $\frac{1}{4}$
1 Acre - NW $\frac{1}{4}$ NE $\frac{1}{4}$
1 " - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 43 N., R. 115 W.

131 acres supplemental supplemental supply for lands under
Supplemental Supply Ditch, Permit No. 17937, and described as:

13 Acres - NE $\frac{1}{4}$ NE $\frac{1}{4}$
39 " - NW $\frac{1}{4}$ NE $\frac{1}{4}$
40 " - SW $\frac{1}{4}$ NE $\frac{1}{4}$
39 " - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 43 N., R. 115 W.
(C. R. 52, page 247)

Appr. Henry Gunther - 66.18 acres original supply described as:

2 Acres - NE $\frac{1}{4}$ NE $\frac{1}{4}$
25 " - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30
9.18 " - Lot 5 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
30 " - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 45 N., R. 115 W.

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Supplemental supply for 83 acres under Gunther Ditch, Permit No. 17733, and described as:

30 Acres - Lot 5 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 19
38 " - NE $\frac{1}{4}$ NE $\frac{1}{4}$
15 " - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 43 N., R. 115 W.

Supplemental supply for 10 acres under Gunther Ditch, Permit No. 4912 Enl., and described as:

10 Acres - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 43 N., R. 115 W.
(C. R. 52, page 248)

Appr. T. A. Moulton - Original supply for 20 acres described as

10 Acres - SW $\frac{1}{4}$ NE $\frac{1}{4}$
10 " - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 43 N., R. 115 W.

Supplemental supply for 140 acres under the Mormon Row Ditch, Permit No. 17697, and described as:

30 Acres - SW $\frac{1}{4}$ NE $\frac{1}{4}$
30 " - SE $\frac{1}{4}$ NE $\frac{1}{4}$
40 " - NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 43 N., R. 115 W.
(C. R. 52, page 249)

Appr. John Moulton - Original supply for 20 acres described as:

20 Acres - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 43 N., R. 115 W.

Supplemental supply for 140 acres under the Mormon Row Ditch, Permit No. 17697, and described as:

40 Acres - NE $\frac{1}{4}$ NE $\frac{1}{4}$
40 " - NW $\frac{1}{4}$ NE $\frac{1}{4}$
40 " - NE $\frac{1}{4}$ NW $\frac{1}{4}$
20 " - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 43 N., R. 115 W.
(C. R. 52, page 250)

Appr. J. W. Moulton - Original supply for 180 acres described as:

10 Acres - SE $\frac{1}{4}$ NW $\frac{1}{4}$
40 " - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29
40 " - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30
40 " - SW $\frac{1}{4}$ SW $\frac{1}{4}$
11.4 " - SE $\frac{1}{4}$ SW $\frac{1}{4}$
33 " - NW $\frac{1}{4}$ SE $\frac{1}{4}$
5.6 " - SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 43 N., R. 115 W.

Supplemental supply for 140 acres under the Mormon Row Ditch, Permit No. 17697, and described as:

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30 Acres - SE $\frac{1}{4}$ NW $\frac{1}{4}$
40 " - NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29
28.6 " - SE $\frac{1}{4}$ SW $\frac{1}{4}$
7.0 " - NW $\frac{1}{4}$ SE $\frac{1}{4}$
34.4 " - SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 43 N., R. 115 W.
(C. R. 52, page 251)

Appr. A. H. Chambers - Original supply for 90 acres described as

30 Acres - SW $\frac{1}{4}$ NW $\frac{1}{4}$
30 " - SE $\frac{1}{4}$ NW $\frac{1}{4}$
16 " - NE $\frac{1}{4}$ SW $\frac{1}{4}$
14 " - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 43 N., R. 115 W.

Supplemental supply for 67 acres under the Mormon Row Ditch
and the Johnson & Egleston Ditch, Permits Nos. 17697 and
9992, and described as:

30 Acres - SW $\frac{1}{4}$ SE $\frac{1}{4}$
37 " - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 43 N., R. 115 W.

Supplemental supply for 82 acres under the Johnson & Egleston
Ditch, Permit No. 9992, and described as:

35 Acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ SW $\frac{1}{4}$
7 " - SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 43 N., R. 115 W.

Supplemental supply for 73 acres under the Mormon Row Ditch,
Permit No. 17697, and described as:

3 Acres - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29
10 " - SW $\frac{1}{4}$ NW $\frac{1}{4}$
10 " - SE $\frac{1}{4}$ NW $\frac{1}{4}$
24 " - NE $\frac{1}{4}$ SW $\frac{1}{4}$
26 " - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 43 N., R. 115 W.
(C. R. 52, page 252)

Appr. J. B. Heninger - Original supply for 20 acres described as

20 Acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 43 N., R. 115 W.

Supplemental supply for 140 acres under the Mormon Row Ditch,
Permit No. 17697, and described as:

20 Acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ SW $\frac{1}{4}$
40 " - SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 " - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 43 N., R. 115 W.
(C. R. 52, page 253)

Very truly yours,

Glenn A. Conner

GLENN A. CONNER,
Assistant State Engineer.

GAC:em

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THE STATE OF WYOMING

Certificate of Appropriation of Water

Certificate Record No. 47 Page 555

WHEREAS, Henry Gunther has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Hodge Slough, Tributary Ditch Creek, Tributary Snake River through the Gunther Ditch under Permit No. 17733 for irrigation of the lands herein described, lying and being in Teton County, Wyoming, and domestic purposes.

NOW KNOW YE, That the State Board of Control, under the provisions of Chapters 65 and 68, Wyoming Compiled Statutes, 1920, has, by an order duly made and entered on the 17th day of November, A. D. 1933, in Order Record No. 7, Page 679, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator: Henry Gunther; Postoffice Address: Grovont, Wyoming; Date of Appropriation: July 10, 1930; Total Acreage: One hundred fifty two (152) acres; Amount of Appropriation: 2.17 cu. ft. per sec.; Description of land to be irrigated and for which this appropriation is determined and established:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
		30	30	40	10	20													152
45	115	19															30		30
																			152

The right to water hereby confirmed and established is limited to irrigation and domestic purposes and the use of the water for the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each seventy acres of land for which the appropriation is herein determined and established.

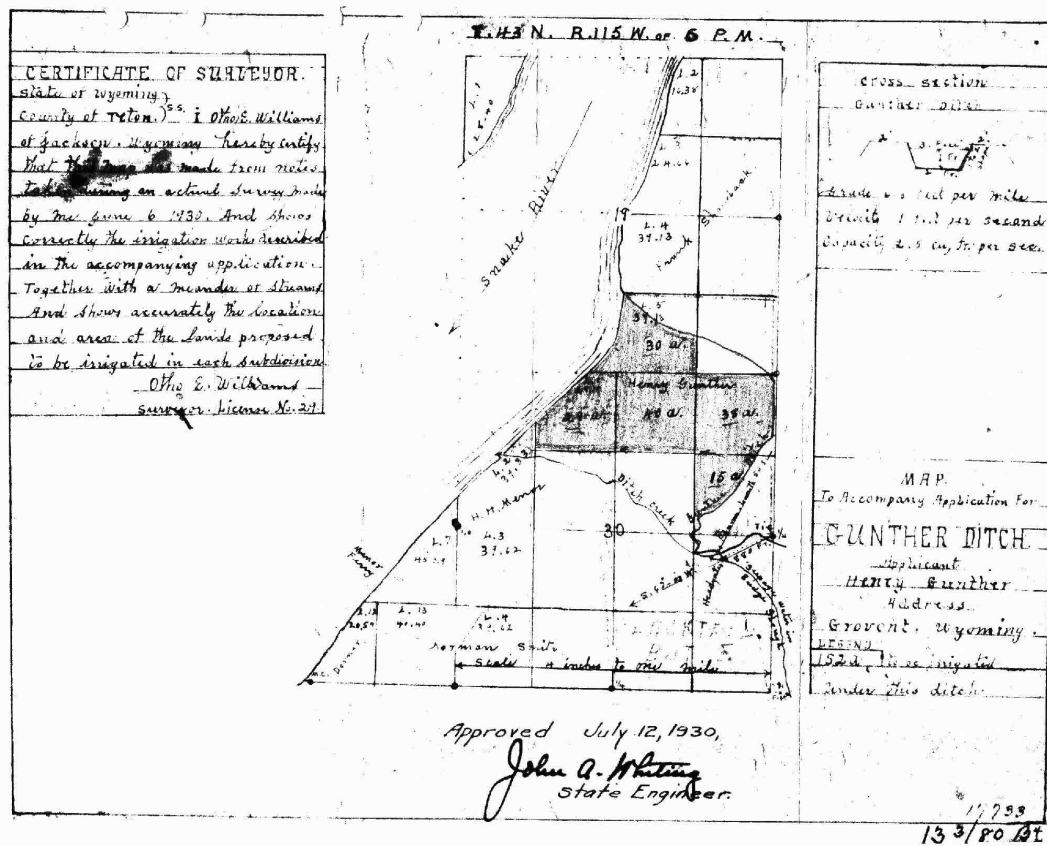
IN TESTIMONY WHEREOF, I, Edwin E. Burritt, President of the State Board of Control, have hereunto set my hand and seal this 17th day of March, A. D. 1934, and caused the seal of said Board to be hereunto affixed. Secretary: Ex officio President:

Other Supporting Information

Part III-Budge Slough

<u>Application</u>	<u>Certificate</u>	<u>Appropriator</u>	<u>Priority</u>	<u>Present Ownership</u>
Gunther Ditch				
17733	47-555	Henry Gunther	July 10, 1930)	Dr. W. F. Gordon
4912E	49-381	" "	Aug. 21, 1935)	

Note: This "source" is actually only waste water from Savage, Mxd Springs (Mormon Row), and Hot Springs Ditches, returned to a natural channel along the base of Black Tail Butte. This slough may be spring fed during wet periods but this is seldom, if ever, the case during the irrigation seasons.

Docket Information

Number of Documents in Docket 12

Documents Dated from 7/12/1930 to 4/11/1955

Docket Compiled: 4/4/2011