

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-00514
Date Received: 3/03/1989
Receipt No: E006120
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TETON IRRIGATION AND MANUFACTURING CO. 208-458-4149
Address: 3381 N. 5000 E.
SUGAR CITY, ID 83448

2. Date of Priority: JUN 01, 1892

3. Source: TETON RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	41E	28	SW	SW	NW		FREMONT

5. Description of diverting works:
CEMENT DAM 240' LONG. CEMENT HEADING WITH TWO GATES (10'X6').

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	07/01	11/01	7.680		

7. Total Quantity Appropriated is:
7.680 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 6229.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	1	NE	NE		IRR	40.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

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Date: 03/07/89

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MAR 15 1989

Department of Water Resources
Eastern District Office

MICROFILMED
OCT 28 1982

A2200514



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	40E	1	NE		NW		IRR	30.0
			NW		NW		IRR	10.0
			SW		NW		IRR	5.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			SE		SW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0
							Section Acres	560.0
		2	NE		SE		IRR	40.0
			SE		SE		IRR	23.0
							Section Acres	63.0
		11	NE		NE		IRR	15.0
			SW		NE		IRR	5.0
			SE		NE		IRR	40.0
							Section Acres	60.0
		12	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	40.0
			NW		NW		IRR	38.0
			SW		NW		IRR	37.0
			SE		NW		IRR	38.0
			NE		SW		IRR	40.0
			NW		SW		IRR	36.0
			SW		SW		IRR	38.0
			SE		SW		IRR	37.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	2.0
			SE		SE		IRR	2.0
							Section Acres	545.0
		13	NW		NE		IRR	7.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	40E	13	NE		NW		IRR	38.0
			NW		NW		IRR	38.0
			SW		NW		IRR	20.0
			SE		NW		IRR	14.0
							Section Acres	117.0
		14	NE		NE		IRR	40.0
			NW		NE		IRR	14.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	24.0
			NW		SE		IRR	13.5
							Section Acres	171.5
	41E	6	NE		NE		IRR	4.0
			NW		NE		IRR	38.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	38.0
			SW		SE		IRR	29.0
							Section Acres	509.0
		7	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	20.0
							Section Acres	220.0
07N	40E	36	NE		SE		IRR	37.0
			NW		SE		IRR	30.0
			SW		SE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	36	SE	SE		IRR	36.0
						Section Acres	133.0
	41E	29	NE	SW		IRR	11.0
			NW	SW		IRR	26.0
			SW	SW		IRR	36.0
			SE	SW		IRR	20.0
			NW	SE		IRR	31.0
			SW	SE		IRR	12.0
						Section Acres	136.0
		30	SE	SE		IRR	14.0
						Section Acres	14.0
		31	NE	NE		IRR	38.0
			NW	NE		IRR	32.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	14.0
			SW	NW		IRR	27.0
			SE	NW		IRR	36.0
			NE	SW		IRR	27.5
			NW	SW		IRR	26.0
			SW	SW		IRR	26.0
			SE	SW		IRR	26.5
			NE	SE		IRR	23.8
			NW	SE		IRR	23.7
			SW	SE		IRR	23.0
			SE	SE		IRR	24.5
						Section Acres	428.0
		32	NW	NW		IRR	5.0
			SW	NW		IRR	13.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	30.0
			SE	SW		IRR	30.0
						Section Acres	158.0
						Total Acres	3114.5

11. Place of use in counties: MADISON, FREMONT

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A22-00548/00513/00549/00580/00635/00672.

14. Remarks:

TETON IRRIGATION AND MANUFACTURING CO. OWNS THE WATER RIGHTS. THE LAND IS OWNED BY THE 174 SHAREHOLDER.

IN 1975 THE TETON IRRIGATION AND MANUFACTURING CO. COMBINED WITH SIDDOWAY IRRIGATION AND MANUFACTURING CO. WITH TETON BECOMING THE SURVIVING CO.

SEE NOTICE OF CLAIM A22-00548 FOR MAP OF SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/01/1892

REXBURG IRRI. CO.

Decree Plaintiff

vs

TETON IRRI. CANAL CO.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____ Title

Teton Irrigation & Mfg. Co. Organization, that I have signed the foregoing document in the space below as President of _____ Title

Teton Irrigation & Mfg. Co. Organization and that the statements contained in the foregoing document are true and correct.

W. Dean Graham, President
Signature of Authorized Agent

Teton Irrigation & Mfg. Co.
Title and Organization

3-13-1989
Date

State of Idaho)
County of MADISON) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of March 19 89

Liana S. Richmond
Notary Public

Seal

Residing at Box 1 Sugar City Idaho 83448
My Commission Expires 1-31-93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Teton Pipeline c/o Earl N Hoopes Phone 356-6723
Post office address 25 South 30 East, Rexburg, Idaho 83440

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to Siddoway Irrigation (Name)
in case of Rexburg Irrigation et al vs Teton Irrigation Canal Co.
dated 12-01-1910 in Sixth District county of Fremont
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Teton River tributary to Snake River4. Date of priority (1) July 1, 1891 (2) June 1, 1892

5. Water is used for the following purposes:

22-0513 amount 6.00 for Irrigation purposes from Apr. 1 to Nov. 1
22-0514 amount 7.68 for Irrigation purposes from July 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 13.68 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____ NOT GIVEN IN DECREE

8. Lands irrigated or place of use:

TWP.	RANGE	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	
7N	41E	29														6	4		10
		32					13		13		20	40	30						116
		31	15	5	40	40									40	25	18	40	223
6N	41E	5					4	1											5
		6	4	36		11	8			6	13			18	2	10	10		118
		7					15	21											36

Total number of acres to be irrigated 508

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 13.68 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW ¼ SE ¼, Section 15 Township 6N
Range 44E, B.M., Teton County
Additional points NW¼SE¼, Sec. 3, SE¼NW¼, Sec. 10, T. 6N, R. 44E, B.M.

- c. Description of diverting works pumps and pipeline

- d. Describe the reasons for applying for a change in the point(s) of diversion _____
to supplement water supply for pipeline

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	44E	29									40	40	40	40	40	40	40	40	320
		30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		28									10	25							35
		32		40	40		40	40	40	40	40	40	40			40	40		480
6N	44E	6	40			40	40	40	40	40									240

Total number of acres to be irrigated _____

(continued)

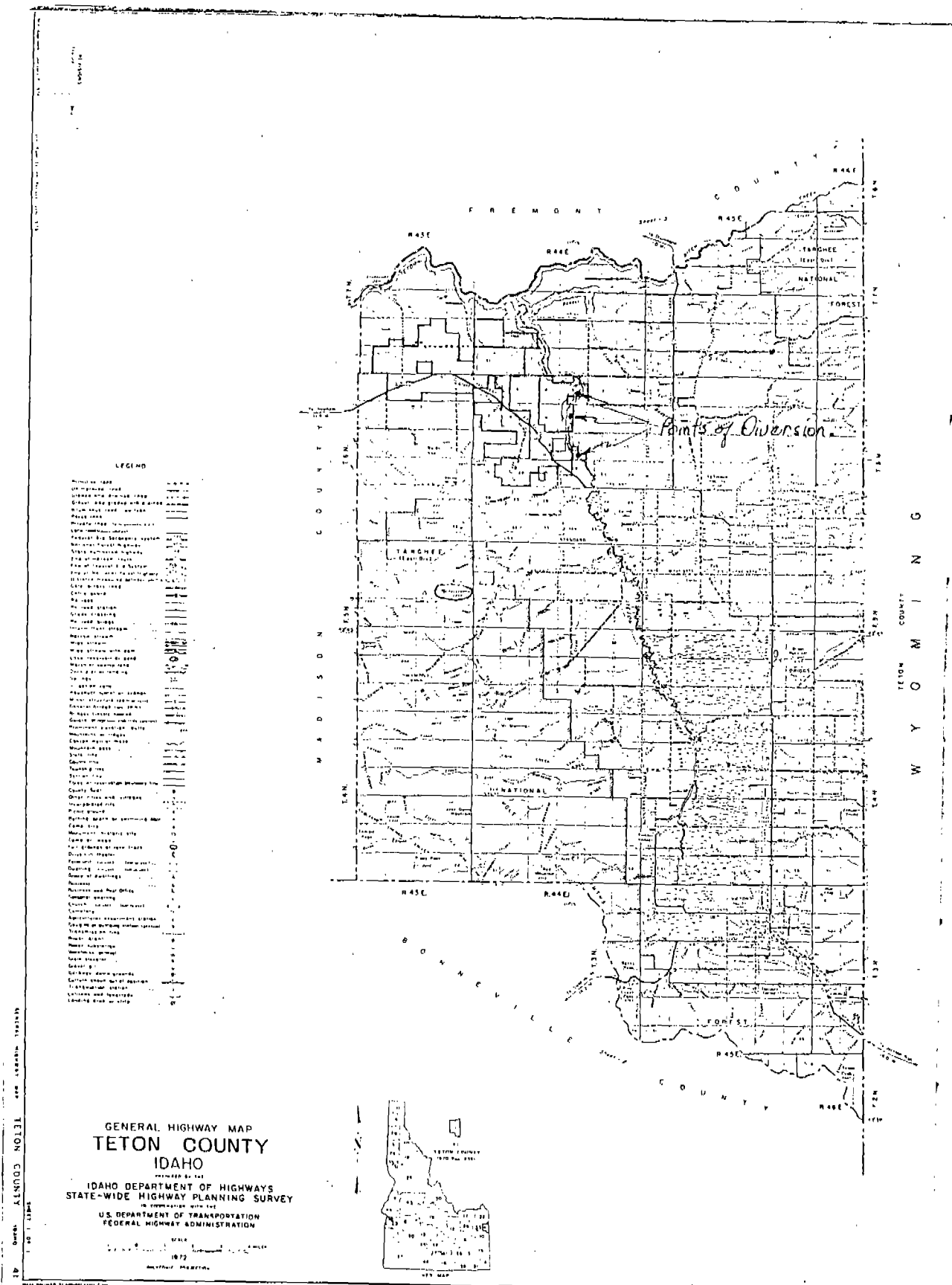
LAND LIST ATTACHMENT

Description and location of place of use:

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	
7N	43E	25									40	40	40	40					160
		26	40	40	40	40			30	30	30	30	30	30	40	40	40	40	500
		27											40	40					80
		33	40	40	40	40									40	40	40	40	320
		34	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		35	40	40	40	40	40	40	40	40					40	35	35	40	470
		36					40	40	40	40	40	15	15	40	40	40	40	40	430
6N	43E	1	15	30	40	25	40	40	40	40	10	10			10	10			310
		2	40	40	40	40	40	40	40	40	30	40	10		10	10			420
		3	40	40	40	40	40	40	40	40	40	40	40	40	40	40	35	25	620
6N	44E	3		25	40	15			40	40	10	10	40		5	15			240
		4		40	40	40	40			40	40			40	40	40	40	40	440
		5						40	40			40	40						160
		8			40	40		30	40	40	40	40	40	40	40	40	40	40	510
		9	35	35	35	35	35			35	35				35	35	35	35	385
		10					40	40	40	40	40	40	40	40					320
		7	40	40	40	40	10	35	20	5	5			5	40	40	40	40	100
		18									5			5	40	40	40	40	170
		17	40	40	40	40					40	40	40	40	40	40	40	40	480
		16				40									40				80
		15								20	35					25	40	10	130
		22					40	40	40	40									160
		21	30	30			30	30	15		15								150
		20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		19				40									40				80

Total number of acres irrigated 10,650

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

E. J. [Signature]
President (Signature of applicant)

Subscribed and sworn to before me this 1st day of August, 19 78.

[Signature]
(Notary public)

My commission expires 6/15/81

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 ____.

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>8-01-78</u>	Protest filed by _____
Prelim. check by <u>EMC</u>	Fee <u>55.00</u>	_____
Received by <u>[Signature]</u>	Date <u>8-01-78</u>	_____
Published in <u>Star Valley News</u>		Copies of protest forwarded by _____
Pub. dates <u>Aug. 17 & 24-1978</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>8-11-78</u>		Recommended for _____ approval _____ denial _____
<u>W.D. #01</u> rec'd. _____		by _____
<u>Rox Carlson</u>		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVEDName of applicant Teton Pipeline Phone 356-6723Post office address c/o Clint Hoopes, 25 South, 30 East, Rexburg, ID**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree to Siddoway Irrigation (Name)
in case of Rexburg Irrigation et al vs Teton Irrigation Canal Co.
dated 12-1-1910 in Sixth District county of Fremont
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Teton River tributary to Snake River4. Date of priority ⁽¹⁾ July 1, 1891, ⁽²⁾ June 1, 1892

5. Water is used for the following purposes

22-0513 amount 6.0 for irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____

22-0514 amount 7.68 for irrigation purposes from Apr. 1 to Nov. 1
(month/day both dates inclusive)

6. Total amount of water under right: a. 13.68 cubic feet per second
b. _____ &/or _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section
Township _____ Range _____ B.M. _____ County _____

Additional points of diversion, if any: Not given in decree**B. Check figures for place of use:**

TWP	RANGE	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	
7N	41E	29														6	4		10
		32					13	13		20	40	30							116
		31	15	5	40	40									40	25	18	40	223
6N	41E	5					4	1											5
		6	4	36		11	8		6	13			18	2	10	10			118
		7					15	21											36

Total number of acres to be irrigated 508

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 13.68 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15 Township 6N
Range 44E, B.M., Teton County _____
Additional points NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 6N, R. 44E
 - c. Description of diverting works pumps and pipelines
 - d. Describe the reasons for applying for a change in the point(s) of diversion
to supplement water supply for pipeline

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	44E	29									40	40	40	40	40	40	40	40	320
		30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		28										10	25						35
		32		40	40		40	40	40	40	40	40	40	40		40	40		480
6N	44E	6	40			40	40	40	40	40									240

Total number of acres to be irrigated _____

(continued)

Description and location of place of use:

Total number of acres irrigated 10,430

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

SEE ATTACHED MAPS

3. Remarks

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 19th day of April, 19 77

(Signature of applicant)

My commission expires 2/14/78

(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0513 and 22-0514, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

1. This transfer will only be in affect through April 1, 1978, at which time the point of diversion and place of use will revert back to the same locations established prior to the execution of this transfer. An extension of time may be requested by writing to the Department of Water Resources on or before the termination of this transfer.
2. No more than 1,016 acre feet of water may be diverted on any one year.
3. A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
4. This right is and shall remain under the control of the watermaster of Water District 01.

Witness my hand this 25th day of July, 19 77

FOR DEPARTMENT USE ONLY

Received by me Date 4-19-77 Protest filed by _____
Prelim. check by RDC Fee 30.00 _____
Receipted by me Date 4-19-77 _____
Published in Standard Journal _____
Pub. dates May 5 & 12, 1977 _____
Watermaster recommendation requested on 4-29-77 _____
by WD 01 rec'd. 5-15-77 _____
Recommended for approval denial _____
by RDC _____