

02/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7295

NAME AND ADDRESS: TETON PIPELINE ASSN INC
C/O HOLDEN KIDWELL HAHN & CRAPO, PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.360 CFS
2,380.200 AFY

Right Nos. 22-7211 and 22-7295 are limited to a total combined annual diversion volume of 2800.0 AF.

The rights listed below are limited to a total combined diversion rate of 66.80 cfs and to a total combined annual diversion volume of 45717.0 AF.
Combined Right Nos.: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.

PRIORITY DATE: 06/12/1979

POINT OF DIVERSION:

T06N R44E S3 SWNWSE Rediversion Within TETON County
T06N R44E S10 NWSENW Rediversion Within TETON County
T06N R44E S15 SWNENW Rediversion Within TETON County
T06N R44E S15 NWSESE Rediversion Within TETON County
T07N R40E S25 SESESE Injection Within FREMONT County
T07N R40E S25 SESESE Within FREMONT County

Water diverted under this right is exchanged by injecting water diverted under this right into Teton River at the points of injection described above, and diverting an equal amount from Teton River at the points of rediversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

3.360 CFS
2,380.20 AFY

The use of water for irrigation under this right may begin as early as April 1 and continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Large Place of Use

13062 ACRES TOTAL

02/14/2006

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Right Nos. 22-7211 and 22-7295 are limited to the irrigation of a combined total of 800.0 acres in a single irrigation season.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right is limited to the irrigation of 800.0 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to regulation by the watermaster of Water District 01.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.

The exchange well must inject water into the Teton River under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

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.

The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-13288 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

The right holder shall maintain a totalizing measuring device at each point of diversion and each point of rediversion of a type approved by the Department as a part of the diverting works.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through points of rediversion/diversion described above: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.

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: A22-07295
Date Received: 8/11/1988
Receipt No: E001242
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOTT LAND, INC. 208-458-4966
Address: HC 60 BOX 1143
NEWDALE, ID 83436

2. Date of Priority: JUN 12, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	3	SW	NW	SE	R	TETON
07N	40E	25	SE	SE	SE		FREMONT

5. Description of diverting works:
WELL PUMP OPEN DISCHARGE TETON R.-REDIV.NORTH PROJ.TETON PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.360		

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

8. Total consumptive use is 636.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	43E	3	NW	NW	4	IRR	6.0
			SW	NW		IRR	19.0

A22-07295

Page 1

Date: 08/11/88

A2207295



OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	43E	3	SE		NW		IRR	8.0
			NE		SW		IRR	5.0
			NW		SW		IRR	18.0
							Section Acres	56.0
		4	NE		NE	1	IRR	31.0
			NW		NE	2	IRR	31.0
			SW		NE		IRR	40.0
			SE		NE		IRR	38.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	20.0
			SE		SE		IRR	24.0
							Section Acres	262.0
							Total Acres	318.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THE WATER WILL BE PUMPED INTO THE TETON RIVER IN EXCHANGE FOR
REDIVERSION FROM TETON R. : SWNWSE, S3, T6N, R44E.

15. Basis of Claim: PERMIT

OCT 29 1992

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 BOTT Land Inc., that I have signed the foregoing document in the space below as President of BOTT Land Inc. and that the statements contained in the foregoing document are true and correct.

Dee Ann Bott
Signature of Authorized Agent
President
Title and Organization
8-11-88
Date

State of Idaho)
County of Bonneville) SS.

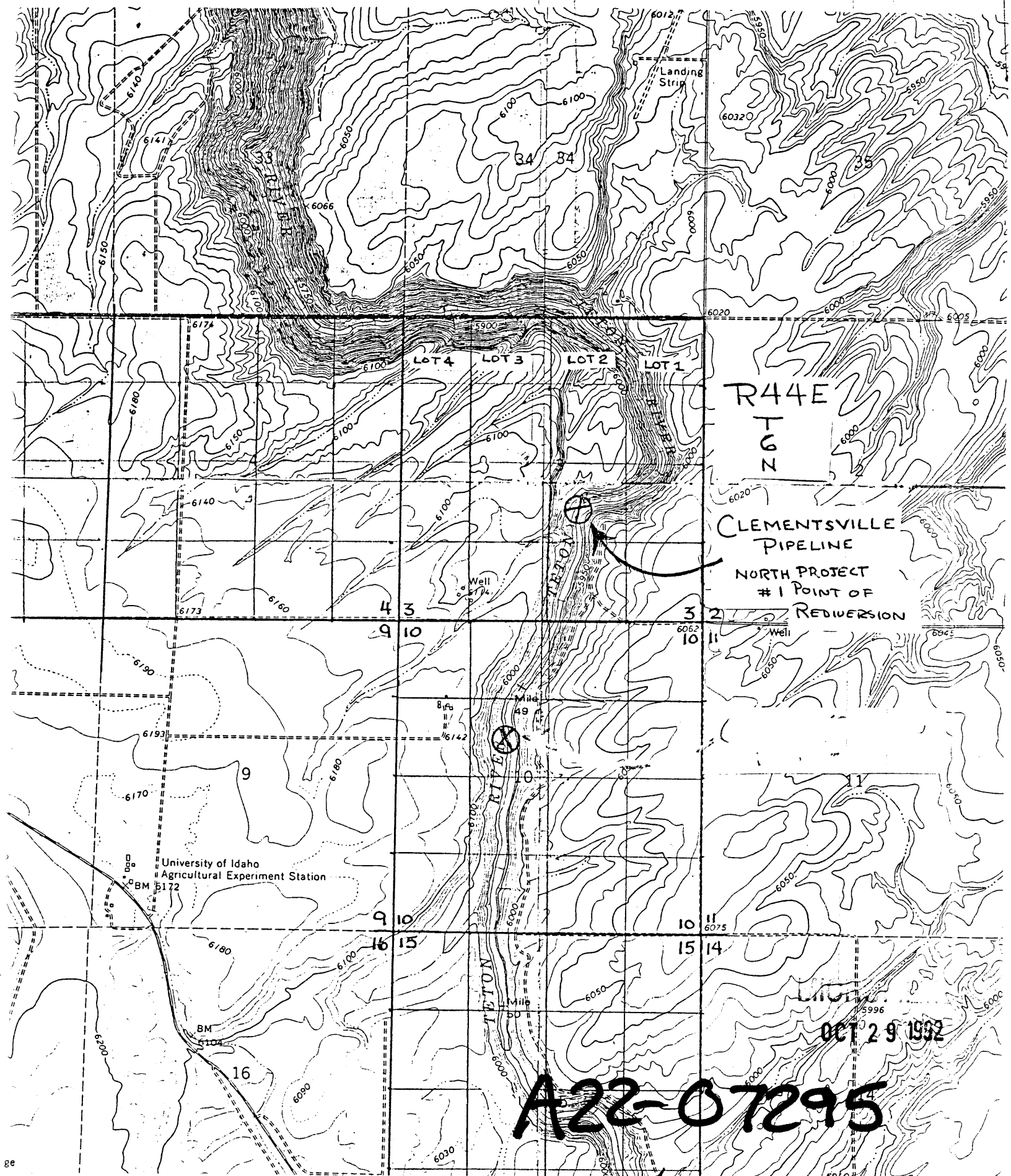
Subscribed and sworn (or affirmed) before me this 11th day of August 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

OCT 29 1992



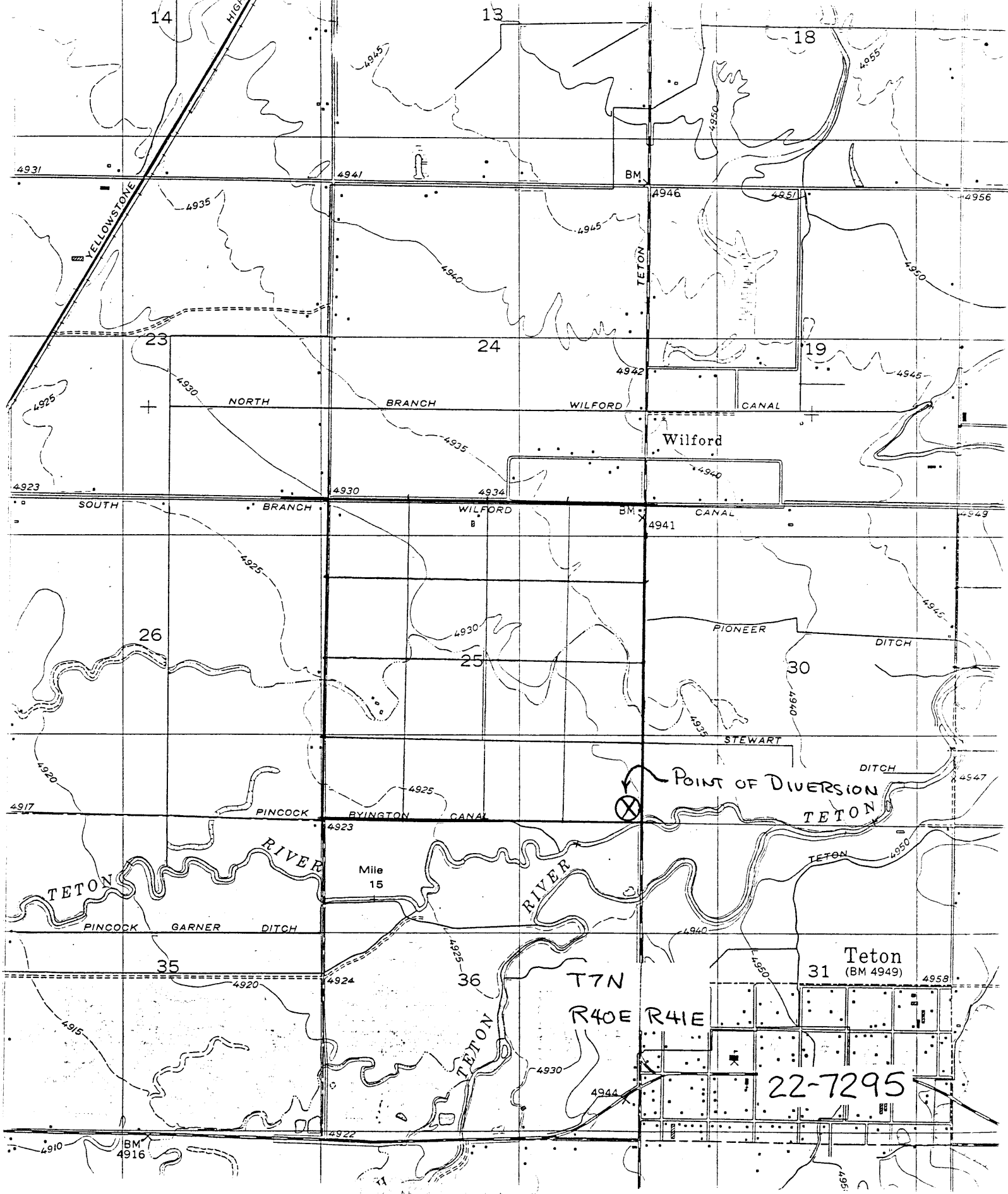
R44E
T6N

CLEMENTSVILLE
PIPELINE
NORTH PROJECT
#1 POINT OF
REDIVERSION

University of Idaho
Agricultural Experiment Station

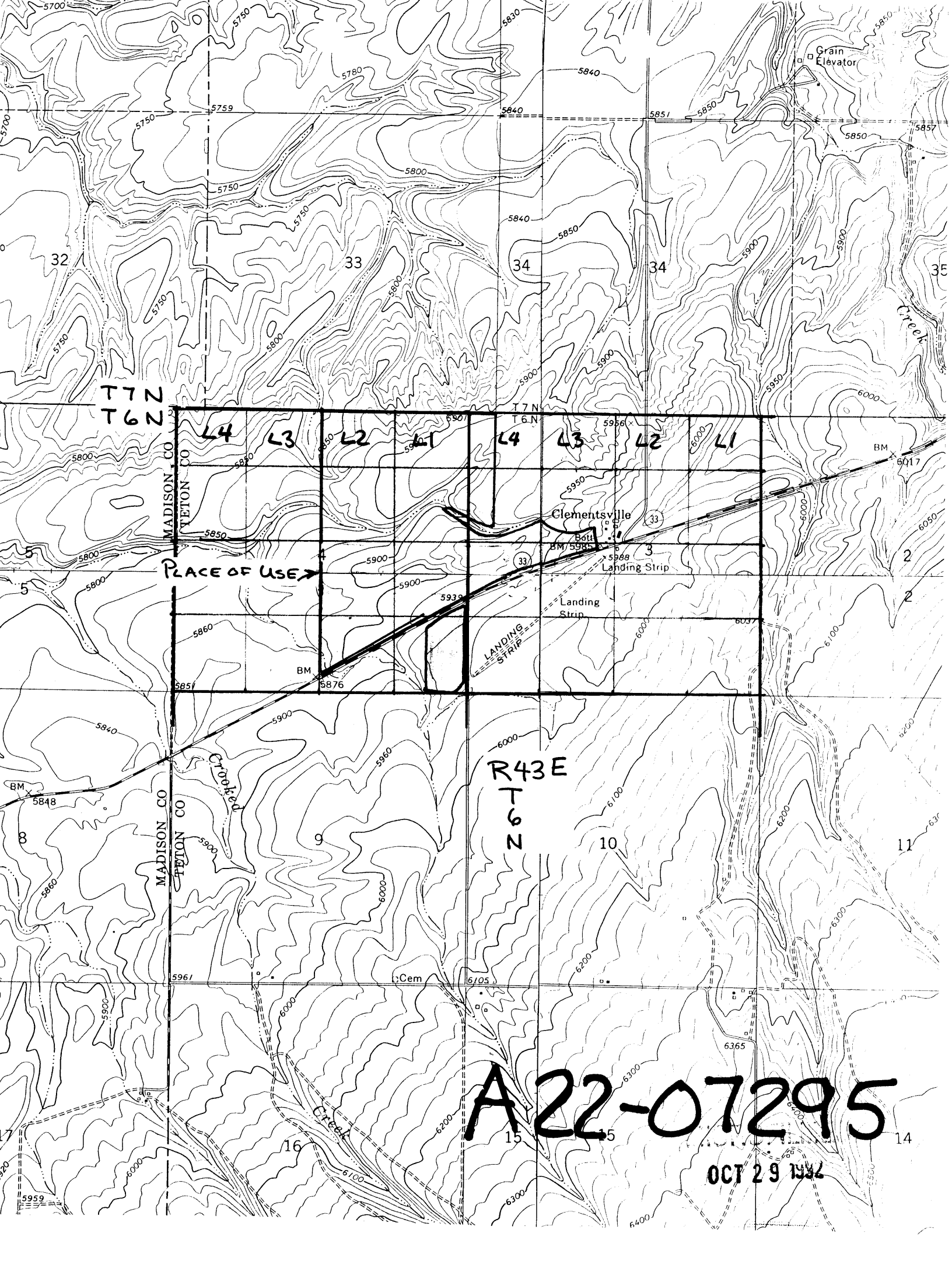
OCT 29 1932

A22-07295



OCT 29 1992

A22-07295



T7N
T6N

MADISON CO
TETON CO

L4

L3

L2

L1

L4

L3

L2

L1

PLACE OF USE

Clementsville

Landing Strip

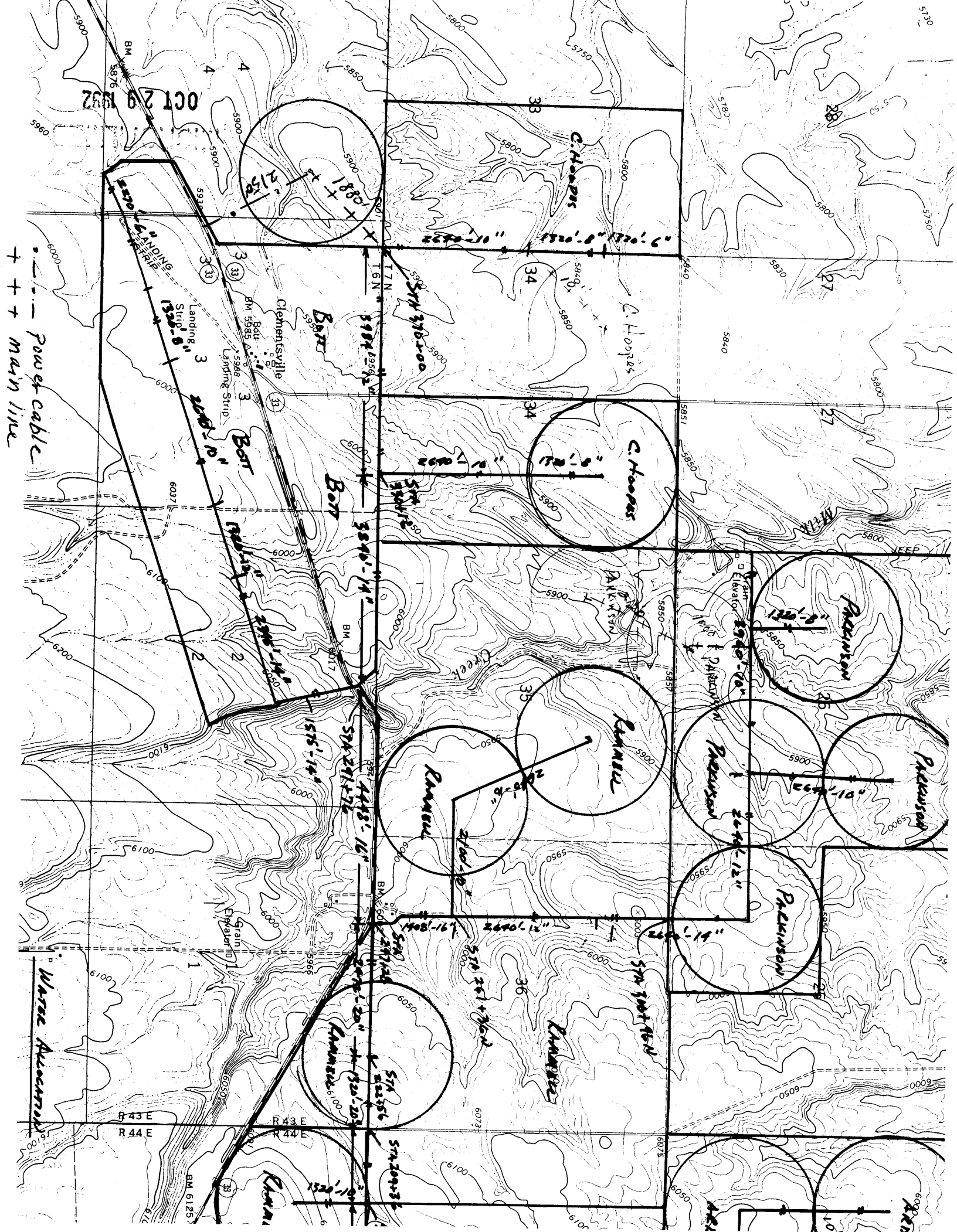
Landing Strip

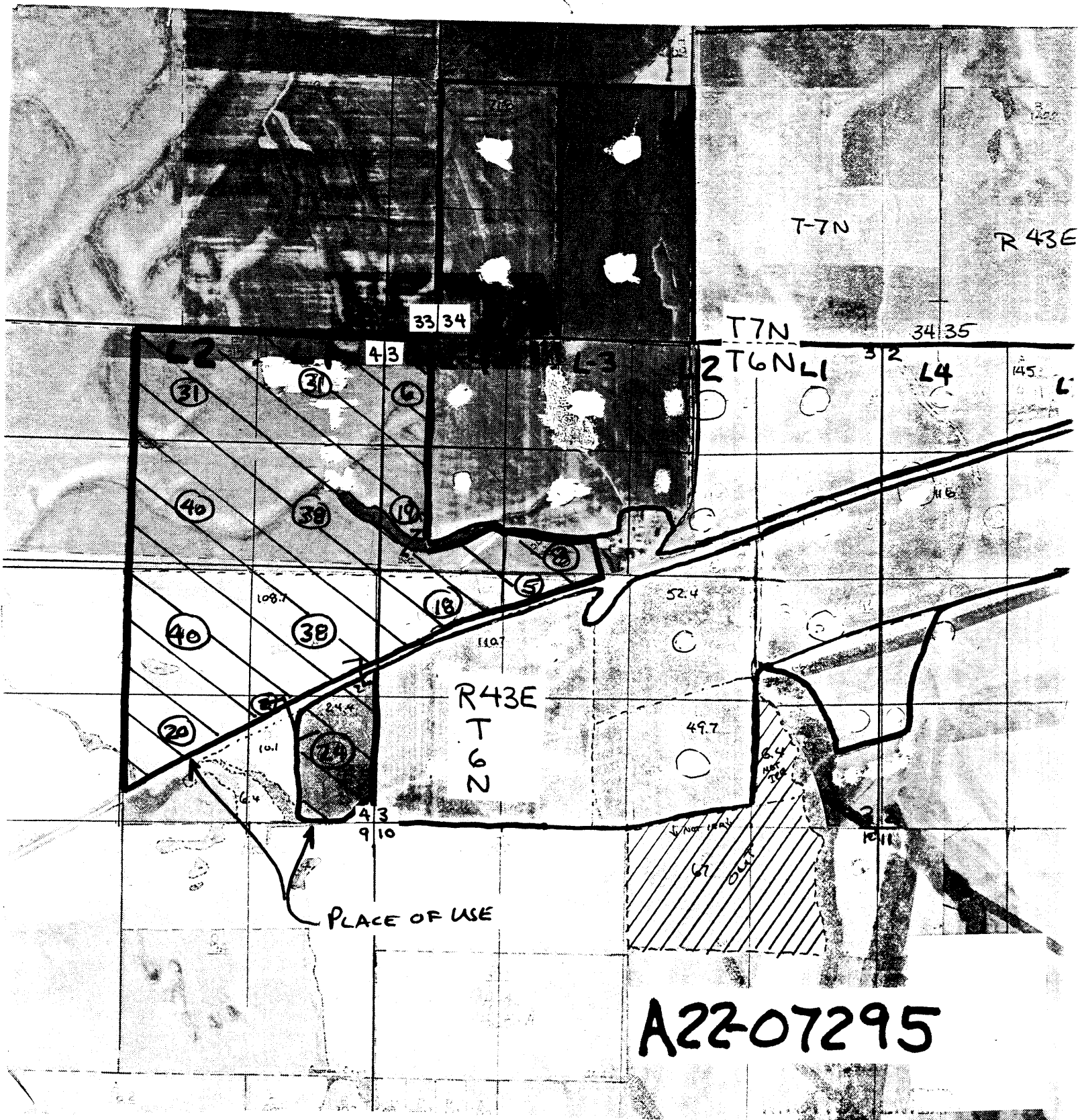
R43E

T6N

A22-07295

OCT 29 1942





OCT 29 1992