

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

The Village of Victor)

Teton County, Idaho)

ORDER GRANTING CHANGE
OF POINT OF DIVERSION

For a Change of Point of Diversion on)
Trail Creek (Teton River), Teton County,)
Water District No. 36.)

No. 235

WHEREAS, On the 16th day of December, 1955, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of the Village of Victor, Teton County, Idaho, for a change of point of diversion on Trail Creek (Teton River), came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, The Trail Creek Irrigation Company, Inc. has granted consent to the change of point of diversion; and,

WHEREAS, For the purposes of this specific transfer, and because of the specific situation on Game Creek, the Department of Reclamation of the State of Idaho assumes that the subterranean water intercepted by the installation of a collecting pipe line is a part of the subterranean flow of Game Creek and tributary to Game Creek and Trail Creek; and

WHEREAS, No protests have been filed against the application, and the evidence filed by the applicant, with the application, shows that a more efficient and beneficial use of the water will be obtained by such change, and that no other water user will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 4th day of October, A. D. 1956.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

(SEAL)

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

C E R T I F I C A T E O F C H A N G E O F P O I N T O F D I V E R S I O N O F D E C R E E D W A T E R R I G H T
N o . 2 3 5

THIS IS TO CERTIFY That the Village of Victor, Teton County, Idaho, is the owner of and using a water right for 6.4 cubic feet per second of the waters of Trail Creek (Teton River), with priority of June 1, 1896, said water being decreed by Judge J. M. Stevens, in the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

R E X B U R G I R R I G A T I O N C O M P A N Y
(A Corporation), et al.,

Plaintiffs,

Vs.

T E T O N I R R I G A T I O N C A N A L C O M P A N Y ,
(A Corporation), et al,

Defendants

said decree bearing date of December 16, 1910, said water to be used for domestic and municipal purposes.

That said decree has been entered in the records of the State Department of Reclamation in Volume 3 of Decrees, beginning at page 450 thereof.

And that now, upon the application of the Village of Victor, Teton County, Idaho, for a Certificate for Change of Point of Diversion of One cubic foot per second of the waters of Trail Creek (Teton River), made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change the point of diversion is HEREBY GRANTED.

That such change of point of diversion shall not modify in effect said decreed water right or place of use.

Said water is to be limited at any given time to an amount actually needed and beneficially used, and shall not exceed the following amount, to-wit:

One cubic foot per second, with
priority of June 1, 1896.

That the water right hereby described has heretofore been conducted to the place of use through the Town Canal, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 3 North, Range 45 East, B. M.

That the water right hereby described will hereafter be conducted to the place of use through an intercepting pipe line paralleling Game Creek, with points of diversion in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, all in Township 3 North, Range 46 East, B. M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 4th day of October, A. D. 1956.

(SEAL)

Mark R. Kulp
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State Reclamation Engineer