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APR 07 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources  
Eastern RegionIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-13288

Date Received \_\_\_\_\_

Receipt Number ED29699

**NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s) Teton Pipeline Association Phone (208) 523-0620  
Mailing Address c/o Holden, Kidwell, Hahn & Crapo, PLLC, PO Box 50130, Idaho Falls Zip 83405-0130

2. Date of Priority (Only (1) per claim) APRIL 15, 1987

3. Source of water supply (a) Teton river and Ground Water  
which is tributary to (b) Henry's Fork

4.a. Location of existing point of diversion is:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_,  
County of \_\_\_\_\_

Additional points of diversion if any: Same Points of Diversion as for water rights on attached list.

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Existing pump stations, wells and other attendant facilities.

6. Water is claimed for the following purposes: \_\_\_\_\_ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/15 amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) \_\_\_\_\_ (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully: \_\_\_\_\_ g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

| TWP                                      | RNG | SEC | NE 1/4 |    |    |    | NW 1/4 |    |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | TLS |
|------------------------------------------|-----|-----|--------|----|----|----|--------|----|----|----|--------|----|----|----|--------|----|----|----|-----|
|                                          |     |     | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |     |
| See Attached Sheet for full Place of Use |     |     |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |     |
|                                          |     |     |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |     |

Total number of acres irrigated 2290.9 acres within  
above described place of  
use.

11. In which county(ies) are lands listed above as place of use located? Teton & Madison
12. Do you own the property listed above as place of use? Yes    No   X    
 If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.  
See attached list or None (    )

14. Remarks:

Irrigated lands are owned by individual shareholders of this company. This claim is an enlargement claim to account for an additional 2209.9 acres historically irrigated beyond acreage actually authorized by combined water rights listed in the attached list. The combined number of acres authorized under said rights is some 11,513.4. For sometime prior to November 19, 1987, the actual number of acres irrigated under the company system totaled some 13,804.3, or an enlargement under I.C. § 42-1426 of 2290.9 acres. Enlargements occurred at different times on different lands under the various rights. The most recent would have been prior to the claimed date of 4/15/87.

15. Basis of Claim (Check one) Beneficial Use    Posted Notice    Permit    Decree    License     
 If applicable provide IDWR Water Right Number \_\_\_\_\_  
 Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_ I.C. § 42-1426  
 Plaintiff vs Defendant \_\_\_\_\_

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am President of \_\_\_\_\_  
(Title)

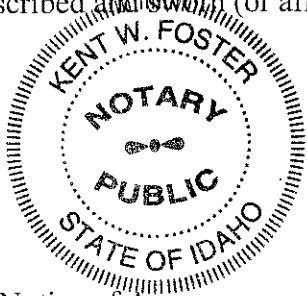
Teton Pipeline Association, that I have signed the foregoing document in the space below as  
(Organization)  
President of Teton Pipeline Association and that the statements contained in the  
(Title) (Organization)  
foregoing document are true and correct.

Signature of Authorized Agent Mark R. Ruick Pres.

Title and Organization President, Teton Pipeline Association Date 4/6/04

State of Idaho )  
) SS.  
County of Bonneville )

Subscribed and sworn (or affirmed) before me this \_\_\_ day of April, 2004.



Notary Public Kent W. Foster  
Kent W. Foster  
Residing at Idaho Falls, Idaho  
My Commission Expires 11/20/2004

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster  
Address PO Box 50130, Idaho Falls, ID 83405-0130  
Date 4/6/04

| Place of Use |      |      | NE     |        |     |       |       |       |       |     |    |        |        |     | NW     |     |     |    |     |    | SW |    |         |  |  |  | SE |  |  |  |  |  |  |
|--------------|------|------|--------|--------|-----|-------|-------|-------|-------|-----|----|--------|--------|-----|--------|-----|-----|----|-----|----|----|----|---------|--|--|--|----|--|--|--|--|--|--|
| Twp.         | Rge. | Sec. | NE     | NW     | SW  | SE    | NE    | NW    | SW    | SE  | NE | NW     | SW     | SE  | NE     | NW  | SW  | SE | NE  | NW | SW | SE | Total   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 1    | 44 L1  | 15 L2  |     | 18 L5 | 22 L3 | 17 L4 | 31    | 34  |    |        |        |     | 0.1 L6 |     |     |    |     |    |    |    | 181.1   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 2    | 22 L1  | 19 L2  | 33  | 37    | 27 L3 | 29 L4 | 38    | 37  | 32 | 40     | 36     | 34  | 1.7    | 35  | 40  | 40 | 8.7 |    |    |    | 469.4   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 3    | 32 L1  | 32 L2  | 28  | 36    | 27 L3 | 30 L4 | 33    | 35  | 34 | 35     | 39     | 40  | 36     | 39  | 40  | 40 | 24  |    |    |    | 540     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 4    | 31 L1  | 32 L2  | 40  | 38    | 32 L3 | 32 L4 | 40    | 40  |    |        |        |     | 37     | 39  | 18  | 20 |     |    |    |    | 399     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 5    |        |        |     |       |       |       |       |     |    |        |        |     | 36     | 33  | 37  | 35 |     |    |    |    | 141     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 6    | 31 L1  | 29 L2  | 33  | 39    | 32 L3 | 22 L4 | 15 L5 | 20  | 38 | 19 L6  | 9.9 L7 | 39  | 39     | 40  | 39  | 39 |     |    |    |    | 483.9   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 7    |        |        |     |       | 27    | 17 L1 |       |     |    |        |        |     | 35     | 39  |     |    |     |    |    |    | 118     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 8    |        |        |     |       | 37    | 40    | 34    | 24  |    |        |        |     |        |     |     |    |     |    |    |    | 135     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 10   | 24     | 39     |     |       | 39    | 39    |       |     |    |        |        |     |        |     |     |    |     |    |    |    | 141     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 43E  | 11   |        |        |     |       | 7.2   | 3.4   |       |     |    |        |        |     |        |     |     |    |     |    |    |    | 10.6    |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 3    |        | 5.9 L2 | 31  |       | 18 L3 | 17 L4 | 40    | 40  | 29 | 40     | 40     | 32  |        | 7.1 |     |    |     |    |    |    | 300     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 4    | 9.4 L1 | 11 L2  | 40  | 40    | 36 L3 | 36 L4 | 40    | 40  | 40 | 40     | 40     | 40  | 40     | 40  | 40  | 40 | 40  |    |    |    | 572.4   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 5    | 37 L1  | 37 L2  | 40  | 40    | 36 L3 | 35 L4 | 40    | 40  | 40 | 37     | 30     | 40  | 40     | 40  | 40  | 40 | 40  |    |    |    | 612     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 6    | 25 L1  | 31 L2  | 39  | 25    | 37 L3 | 39 L4 | 35 L5 | 38  | 12 | 7.5 L6 | 19 L7  | 21  | 28     | 25  | 0.6 | 22 |     |    |    |    | 404.1   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 7    | 2.2    | 5.6    | 27  | 5.4   | 32    |       |       | 17  | 21 |        |        | 20  | 4.1    | 31  | 39  | 17 |     |    |    |    | 221.3   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 8    | 40     | 39     | 33  | 39    | 27    | 9.4   | 36    | 20  | 40 | 39     | 32     | 39  | 36     | 27  | 33  | 28 |     |    |    |    | 517.4   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 9    | 40     | 40     | 40  | 40    | 40    | 39    |       | 36  | 34 |        | 2.4    | 34  | 36     | 36  | 40  | 36 |     |    |    |    | 493.4   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 10   |        |        |     |       | 6.3   | 40    | 40    | 4.3 | 2  | 32     | 23     | 7.3 |        |     |     |    |     |    |    |    | 154.9   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 15   |        |        |     |       | 7.4   | 38    | 40    | 14  | 34 | 40     | 40     | 40  |        | 10  | 33  |    |     |    |    |    | 296.4   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 16   | 23     | 35     | 37  | 40    | 23    | 35    | 40    | 19  | 35 | 40     | 30     | 34  | 38     | 20  | 31  | 18 |     |    |    |    | 498     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 17   | 27     | 39     | 32  | 33    | 37    | 6     | 0.3   | 23  | 36 | 20     | 30     | 40  | 40     | 25  | 16  | 40 |     |    |    |    | 444.3   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 18   | 6.4    |        | 0.9 | 18    |       |       |       |     |    |        |        |     | 39     | 39  | 15  | 26 |     |    |    |    | 144.3   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 19   | 20     |        |     | 35    |       |       |       |     |    |        |        |     |        |     |     |    |     |    |    |    | 55      |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 20   | 40     | 25     | 20  | 40    | 36    | 39    | 38    | 32  | 21 | 40     | 39     | 18  | 35     | 34  | 34  | 27 |     |    |    |    | 518     |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 21   | 23     | 34     |     |       | 32    | 22    | 14    |     |    | 3.3    |        |     |        |     |     |    |     |    |    |    | 128.3   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 22   | 9.9    | 40     |     |       | 40    | 32    | 27    | 25  |    |        |        |     |        |     |     |    |     |    |    |    | 173.9   |  |  |  |    |  |  |  |  |  |  |
| 06N          | 44E  | 29   | 11     | 34     | 37  | 5.8   | 21    | 40    | 30    | 5.7 |    |        |        |     |        |     |     |    |     |    |    |    | 184.5   |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 25   |        |        |     |       |       |       |       |     | 36 | 40     | 40     | 38  |        |     |     |    |     |    |    |    | 154     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 26   | 38     | 39     | 40  | 39    | 31    | 17    | 40    | 40  | 40 | 39     | 26     | 40  | 40     | 40  | 40  | 40 |     |    |    |    | 589     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 27   | 17     |        |     | 12    |       |       |       |     | 39 | 39     | 40     | 40  | 16     |     |     | 17 |     |    |    |    | 220     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 28   |        |        |     |       |       |       |       |     |    |        |        |     | 39     | 38  | 40  | 40 |     |    |    |    | 157     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 33   | 40     | 40     | 40  | 40    | 37    | 39    | 36    | 38  | 40 | 40     | 38     | 38  | 40     | 40  | 38  | 38 |     |    |    |    | 622     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 34   | 40     | 38     | 38  | 40    | 40    | 40    | 40    | 40  | 40 | 40     | 38     | 38  | 40     | 39  | 37  | 39 |     |    |    |    | 627     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 35   | 40     | 38     | 40  | 40    | 31    | 36    | 40    | 29  | 33 | 40     | 39     | 34  | 40     | 39  | 20  | 37 |     |    |    |    | 576     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 43E  | 36   |        |        | 40  | 40    | 38    | 39    | 34    | 40  | 39 | 40     | 36     | 33  | 40     | 40  | 40  | 40 |     |    |    |    | 539     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 44E  | 28   |        |        |     |       |       |       |       |     | 13 | 35     | 4.1    |     |        |     |     |    |     |    |    |    | 52.1    |  |  |  |    |  |  |  |  |  |  |
| 07N          | 44E  | 29   |        |        |     |       |       |       |       |     | 25 | 25     | 38     | 38  | 21     | 25  | 37  | 32 |     |    |    |    | 241     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 44E  | 30   | 40     | 40     | 40  | 40    | 39 L1 | 39 L2 | 40    | 40  | 40 | 39 L3  | 38 L4  | 40  | 40     | 40  | 39  | 39 |     |    |    |    | 633     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 44E  | 31   | 38     | 25     | 39  | 32    | 39    | 38 L1 | 40 L2 | 40  | 40 | 41 L3  | 42 L4  | 40  | 37     | 38  | 28  | 36 |     |    |    |    | 593     |  |  |  |    |  |  |  |  |  |  |
| 07N          | 44E  | 32   |        | 40     | 40  |       | 40    | 40    | 37    | 40  | 40 | 38     | 33     | 38  |        | 40  | 38  |    |     |    |    |    | 464     |  |  |  |    |  |  |  |  |  |  |
| TOTAL        |      |      |        |        |     |       |       |       |       |     |    |        |        |     |        |     |     |    |     |    |    |    | 13804.3 |  |  |  |    |  |  |  |  |  |  |

**TETON PIPELINE ASSOCIATION  
WATER RIGHTS**

- 22-145B ✓
- 22-221B ✓
- 22-245B ✓
- 22-435B ✓
- 22-7044A ✓
- 22-7044B ✓
- 22-7100 ✓
- 22-7108 ✓
- 22-7110A/B ✓
- 22-7111 ✓
- 22-7116 ✓
- 22-7119 ✓
- 22-7120 ✓
- 22-7121 ✓
- 22-7122 ✓
- 22-7148 ✓
- 22-7157 ✓
- 22-7159 ✓
- 22-7180 *Permit approved 1976*
- 22-7181 ✓
- 22-7186 ✓
- 22-7188 ✓
- 22-7208 ✓
- 22-7209 ✓
- 22-7211 ✓
- 22-7216 ✓
- 22-7221 *Permit approved 1977 - Priority advanced to 14 Apr 1989 - NO SABA Road.*
- 22-7223 ✓
- 22-7235 ✓
- 22-7295 ✓
- 22-7360 ✓
- 22-7375A ✓
- 22-7375B ✓
- 22-7392 ✓
- 22-7470 ✓
- 22-7504 *Permit approved 1995, Priority 1985 - NO SABA Road*
- 22-7505 *Permit approved 1995, Priority 1985 - NO SABA Road*