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DEC 10 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2008 DEC 8 AM 10 42

COPY

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

In Re SRBA

)

Water Rights: 22-13327

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74017

☐ point of diversion ☐ place of use

☒ period of use ☒ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Dec 1, 2008

Ernest Casper

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 5, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Grand Teton Pipeline Assn
Jeff Hastings President
PO Box 163
Driggs ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

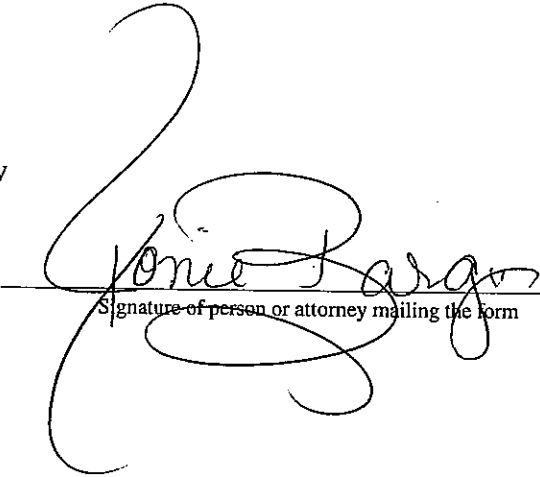
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13327

NAME AND ADDRESS: GRAND TETON PIPELINE ASSN
JEFF HASTINGS PRES
PO BOX 163
DRIGGS ID ID 83422

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 17.230 CFS
25.40 AFY

The two ponds established by the storage of water under this right shall not exceed a total capacity of 21 acre feet or a total surface area of 2.5 acres.

This right authorizes the diversion of an annual total of 25.4 af to be used for the initial filling of the reservoir, and for the replacement of losses caused by evaporation from the reservoir.

The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/01/1892

POINT OF
DIVERSION:

T05N R46E S17 NENWNE Lot 1 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 23 NWSWSE, 6PM (projected).

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	17.080 CFS
DIVERSION TO STORAGE	04/15 10/31	0.150 CFS
RECREATION STORAGE	01/01 12/31	25.40 AFY
WILDLIFE STORAGE	01/01 12/31	25.40 AFY

PLACE OF USE: WILDLIFE STORAGE in TETON County

T05N R46E S07 NWSE

RECREATION STORAGE in TETON County

T05N R46E S07 NWSE

1257.6 ACRES TOTAL

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.

Place of use is within the area served by Grand Teton Pipeline Association.

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

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

The right holder shall accomplish the change authorized by approved transfer 74017 by July 19, 2009.

The approved transfer 74017 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Failure of the right holder to comply with the conditions of approved transfer 74017 is cause for the Director to rescind approval of the transfer.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Water is delivered through North Side Canal in Wyoming and rediverted to Grand Teton Pipeline into Idaho.