

12/04/2006

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

RIGHT NUMBER: 22-382A

NAME AND ADDRESS: TETON WEST IRRIGATION CO INC
C/O LAUREN SOMPAYRAC
PO BOX 132
DRIGGS ID 83422

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.600 CFS

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

PRIORITY DATE: 01/18/1905

POINT OF DIVERSION:

T06N R46E S32 NENWSE Lot 3 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 5, Lt 4 (SENWNWN), 6PM.

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

1.600 CFS

PLACE OF USE:

1467 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.

This right is limited to the irrigation of 312 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 1467 acres in a single irrigation season. Combined Right Nos.: 22-225, 22-226, 22-307A, 22-308, 22-347A, 22-348A, 22-349A, 22-382A, 22-582A, 22-583A, 22-618, 22-7042, 22-7206, 22-7261A, 22-13395, 22-13389.

The rights listed below are limited to the irrigation of a combined total of 672 acres in a single irrigation season. Combined Right Nos.: 22-225, 22-226, 22-307A, 22-308, 22-347A, 22-348A, 22-349A, 22-382A, 22-582A, 22-583A.

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

Water is delivered through the Hog Canal.



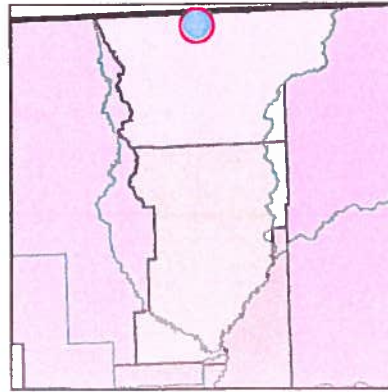
Teton West Irrigation Co Inc

SRBA Recommendations: 22-225, 22-226, 22-307A, 22-308, 22-347A, 22-348A, 22-349A, 22-382A, 22-582A, 22-583A, 22-618, 22-7042, 22-7206, 22-7261A, 22-13389, 22-13395

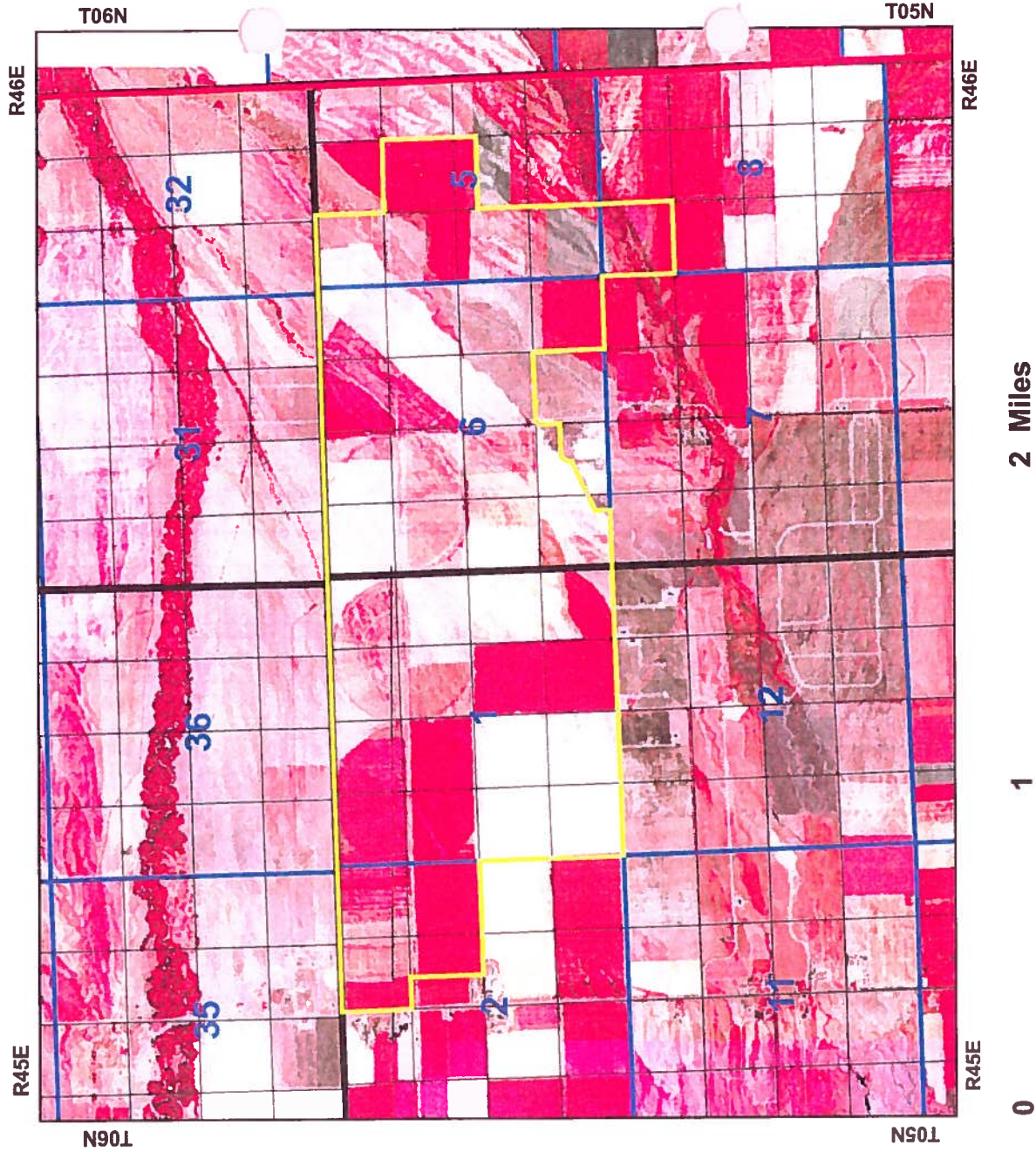
Service Area Boundary
GIS Place of Use Illustration

Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by K. Moore
On Monday, December 4, 2006
1987/88 Aerial Photography



Contacts Data Entry Form

Claim Number: 382 A.

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: Teton West Coop Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

This Right Came From A Orcege 382 + Split
 into 382A + 382B. This Claim is For (1.08 CFS)
 54" DATED ACT 3 1988 The Thru Trans-
 Fer # 4751 DATED 382 P.D. Jan 18 1905 (3.2 CFS)
 160" WAS Split Equally between 382A (1.6 CFS 80")
 + 382B (1.6 CFS 80") TRANSFER # 4751 DATED JAN 16 1997
 SO CLAIM WILL PROBABLY NEED TO BE AMENDED TO
 MATCH TRANSFER
 CLO TO TETON WEST PRNG CO. 9/03 w/ Atty letter & Docs
 SOB 22-225
 CLAIM AMENDED TO RE-COMMENS 22-382B - The Lacey Rodd provisions
 PPH ALL RTS ON ALL AC - AC Limits AND Divests apply
 per TX #4751.

Reviewer: _____ Date: _____

RECEIVED

119240

FEB 27 1995

TETON Co. Id.
DATA FOR 1995QUITCLAIM DEED
FOR
WATER RIGHTSFiled _____
Indexed _____
Platted _____FILED
AT THE REQUEST OFFirst America
57 MINUTES PAST 2
February 27, 1995
Mrs. J. J. Jorgensen
CLERK OF RECORDS
BY: Kayle D. Dussan
DEPUTY

THIS INDENTURE is made this 13th day of June, 1994, between TETON WEST CORPORATION, a Nevada Corporation, successor to TETON VALLEY RANCHES, INC., a/k/a TETON VALLEY RANCHES CORPORATION, and COMMUNICATIONS INVESTMENT CORPORATION, a Delaware Corporation, collectively referred to herein as the "GRANTOR" and TETON WEST IRRIGATION COMPANY, INC., an Idaho Corporation, whose principal place of business is near Driggs, Idaho, and whose mailing address is 2185 S. 3600 W., West Valley City, Utah 84119, the "GRANTEE",

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE'S successors and assigns forever, all right, title and interest now owned or hereafter acquired by the GRANTOR in all the following described water rights or portions thereof in the County of Teton, State of Idaho, to-wit:

WATER RIGHT
I.D. NO.SOURCEAMOUNT IN CFSPRIORITY

22-00225	South Leigh Creek	1.6	06-01-1897
22-00226	South Leigh Creek	1.6	06-01-1898
22-00307	South Leigh Creek	2.0	05-15-1899
22-00308	South Leigh Creek	1.2	06-01-1901

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APR 04 2005

Department of Water Resource
Eastern Region

22-00347	South Leigh Creek	.2	06-01-1901
22-00348	South Leigh Creek	.6	06-01-1902
22-00349	South Leigh Creek	.4	06-01-1903
22-00382	South Leigh Creek	1.6	01-18-1905
22-00582	South Leigh Creek	.6	05-15-1897
22-00583	South Leigh Creek	1.0	06-01-1899
22-00618	South Leigh Creek	.8	01-22-1916
22-02267	Groundwater	2.95	03-14-1966
22-07042	Groundwater	2.89	12-04-1971
22-07206	Groundwater	6.13	02-02-1977
22-07255	Groundwater	4.27	08-22-1077
22-07261	Groundwater	18.0	09-16-1977

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

TETON WEST CORPORATION

By: George C. Valtch
Its President

ATTEST: _____
Assistant Secretary

0465 1 103✓	Latham, F. D.	120 inches.	July 15, 1900.	Swamp.
0465 22 0380✓	Latham, John.	155 inches.	June 1, 1896.	North Leigh Creek. Trans ^H 2
0465 1 104✓	Liberty Park Irrigation Company, The	400 inches.	June 1, 1885.	Bannock Jim Slough.
0465 1 105✓	Liberty Park Irrigation Company, The	1,900 inches.	June 1, 1886.	Bannock Jim Slough.
0465 1 106✓	Liberty Park Irrigation Company, The	1,900 inches.	June 1, 1887.	Bannock Jim Slough.
0465 1 107✓	Liberty Park Irrigation Company, The	1,900 inches.	June 1, 1888.	Bannock Jim Slough.
0465 1 108✓	Liberty Park Irrigation Company, The	1,990 inches.	June 1, 1889.	Bannock Jim Slough.
	Lindholm, Alma			Enterprise Canal Company.
0465 22 0381✓	Lindsay, William	160 inches.	Apr. 1, 1897.	South Leigh Creek.
	Lipseey, W. A.			Enterprise Canal Company.
0465 35 0018 25-0254	Liston, H. S.	240 inches.	June 1, 1884.	Spring Creek.
0465 22 0382✓	Little, Edwin S.	160 inches.	Jan. 18, 1905.	Leigh Creek.
	LittleFeeder Canal Company			(See Finding No. 29)
0465 22 0383✓	Little, George A.	120 inches.	June 1, 1897.	North Leigh Creek.
0465 22 0384✓	Little, George E.	80 inches.	June 1, 1897.	South Leigh Creek.
0475 22 0385✓	Little, George E.	80 inches.	June 1, 1898.	North Leigh Creek.
0475 22 0386✓	Little, Zina W.	120 inches.	Apr. 1, 1889.	South Leigh Creek.
0475 21 0072✓	Lloyd, Thomas W.	150 inches.	June 1, 1896.	Fall River.

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1/18/05 Claimed Basis: QJEN68Recommended Priority Date: 01 Recommended Basis: 01

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Mattew's Docks

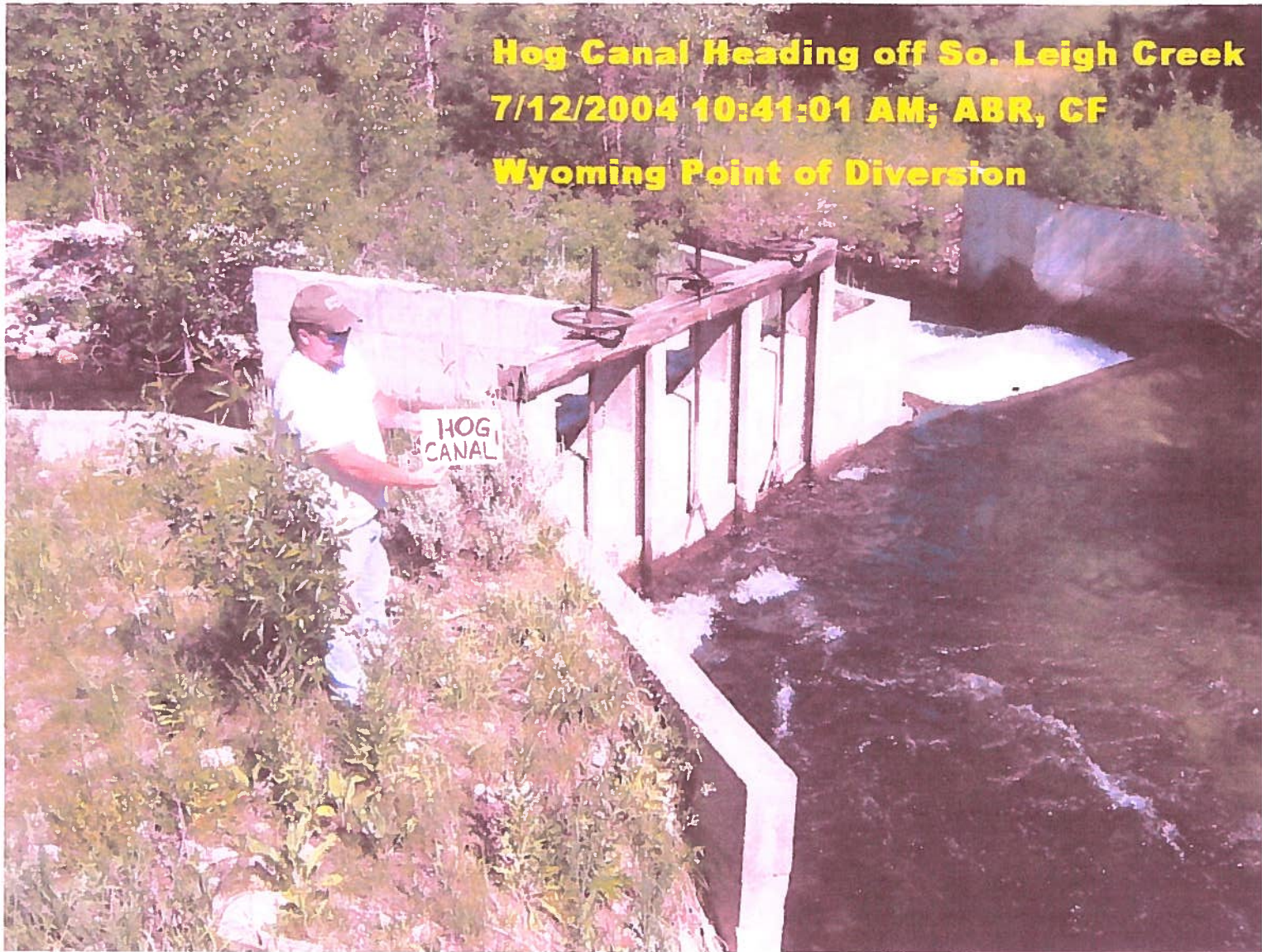
Reviewer: _____

Date: _____



**Hog Canal at state line - Idaho side.
7/12/2004 10:55:54 AM; ABR, CF**

**Hog Canal Heading off So. Leigh Creek
7/12/2004 10:41:01 AM; ABR, CF
Wyoming Point of Diversion**



Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
10N 40E	32	3		NENW 1/4	Teton		
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

SERVICED BY HOB CANAL - WYO GPS TAG# A0014205
ID GPS TAG# A0013700

Claims SENESE → ACTUALLY IN NENW 1/4 SEC. 32 - SO RECOMMENDED.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: 4751

Overlapping rights: _____

Document how the POU was verified:POU are Acres & PtsQ and Ac limits apply per 4751

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/15	1.08	

Overall Diversion Rate _____

Overall Diversion Volume 1.08Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Range	4/15	10/31	3.2	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

As Amended

Lauren Sompayrac

**P.O. Box 132
Driggs, Idaho 83422**

**Tel: 208-456-3060
E-mail: laurens@alum.mit.edu
Fax: 208-456-3099**

May 9, 2005

Dear Al,

It was a pleasure to finally meet you last week. Thank you for coming by and for sending me the form to sign. There is a place to have it notarized, but since you didn't mention this in your note, I have not done so. If you need it notarized, please just return it to me, and I will have that done right away.

I spoke with Jeff Hatch last week, and I sent him the statement you dictated to me to have his father sign and have notarized. Jeff said he would be glad to do that, so I suspect that he will send it back to me soon. I will forward it to you when it arrives here.

Thank you again for helping us get all our claims in order. I really appreciate what you are doing.

With best regards,



RECEIVED

MAY 10 2005

**Department of Water Resources
Eastern Region**

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-225			22-349	
	22-226			22-382	
	22-307			22-582	
	22-308			22-583	
	22-347			22-618	
	22-348				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Teton Valley Ranches Corp.
4. New Owner/Claimant(s) c/o George Hatch, 2185 S. 3600 W., Salt Lake City, UT 84119
Teton West Irrigation Company, Inc.
 Name connector (check one): [] and [] or, [] and/or
- New Mailing Address PO Box 132
- City, State and ZIP Code Driggs, ID 83422
- New Telephone Number _____
5. Date you acquired the property _____

*100% from Teton West Corp to
 Teton Valley Ranches Corp,
 Teton West Irrig.*

*Chain of title
 Does this*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREIER
DIRECTOR

January 17, 1997

TETON WEST IRRIGATION COMPANY INC
C/O HOLDEN KIDWELL HAHN & ETC.
PO BOX 50130
IDAHO FALLS ID 83405

RE: WATER RIGHT NOS. 22-00225/22-00226/22-00307/22-00308
22-00347A/22-00348A/22-00349A/22-00382B/22-00582A/22-00583A
AND 22-00618B

TRANSFER NO. 4751

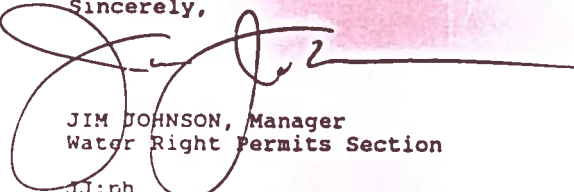
Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4751). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR to July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

PAGE 2

TRANSFER NO. 4751
 WATER RIGHT NO(S). 22-00225/22-00226/22-00307/22-00308
 22-00347A/22-00348A/22-00349A/22-00382B/22-00582A/22-00583A
 22-00618B

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 22-00382B :		
IRRIGATION	04/15 to 10/15	1.60 CFS
Priority: 01/18/1905		
Right No. 22-00582A :		
IRRIGATION	04/15 to 10/15	0.60 CFS
Priority: 05/15/1897		
Right No. 22-00583A :		
IRRIGATION	04/15 to 10/15	1.00 CFS
Priority: 06/01/1899		
Right No. 22-00618B :		
IRRIGATION	04/15 to 10/15	0.80 CFS
Priority: 01/22/1916		
TOTAL:		11.60 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right Nos. 22-00225/226/307/347A/348A/349A/582A/583A/618B :	
SOUTH LEIGH CREEK	TETON RIVER
Right No. 22-00308 :	
NORTH LEIGH CREEK	TETON RIVER
Right No. 22-00382B :	
LEIGH CREEK	TETON RIVER

<u>PLACE OF USE: IRRIGATION</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>					
05N	45E	1	NENE 38	NWNE 38	SWNE 40		
			SENE 40	NENW 38	NWNW 38		
			SWNW 40	SENW 40	NESW 40		
			NWSW 40	SWSW 39	SESW 39		
			NESE 40	NWSE 40	SWSE 39		
			SESE 39				
		2	NENE 38	NWNE 38	SWNE 40		
			SENE 40				
46E		5	NENW 20	NWNW 38	SWNW 40		
			SENW 40	NESW 40	SESW 40		
			SWSW 40				

TRANSFER NO. 4751

WATER RIGHT NO(S). 22-00225/22-00226/22-00307/22-00308
22-00347A/22-00348A/22-00349A/22-00382B/22-00582A/22-00583A
22-00618B

CONDITIONS OF APPROVAL AND REMARKS

- 12. Right Nos. 22-00307 and 22-00308, in combination with Right Nos. 22-00347A, 22-00348A, 22-00349A, 22-00582A and 22-00583A shall not exceed irrigation of 240 acres in the place of use described above in a single irrigation season.
- 13. Right No. 22-00382B shall not exceed irrigation of 312 acres in the place of use described above in a single irrigation season.
- 14. Right No. 22-00618B shall not exceed irrigation of 40 acres in the place of use described above in a single irrigation season.
- 15. Right Nos. 22-00225, 22-00226, 22-00307, 22-00308, 22-00347A, 22-00348A, 22-00349A, 22-00382B, 22-00582A, 22-00583A and 22-00618B when combined shall not exceed the total combined irrigation of 672 acres in the place of use described above and when combined with groundwater Right Nos. 22-02267B, 22-02267C, 22-07206, 22-07255B and 22-07261 are limited to the total combined irrigation of 1467 acres within the place of use described above in a single irrigation season.

Dated this 16th day of January, 1997


Chief, Water Alloc. Bureau

TRANSFER NO. 4751
 WATER RIGHT NO(S). 22-00225/22-00226/22-00307/22-00308
 22-00347A/22-00348A/22-00349A/22-00382B/22-00582A/22-00583A
 22-00618B

6	NENE 38	NWNE 38	SWNE 40	
	SENE 40	NENW 38	NWNW 38	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 38	SESW 20	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			
8	NWNW 5			

Total number of acres irrigated: 160

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer shall cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. The point of diversion is located within NWNW, S05, T44N, R11E in Wyoming.
9. Right Nos. 22-00225 and 22-00226 in combination shall not exceed irrigation of 80 acres in the place of use described above in a single irrigation season.
10. Right Nos. 22-00307 and 22-00308 in combination shall not exceed irrigation of 160 acres in the place of use described above in a single irrigation season.
11. Right Nos. 22-00347A, 22-00348A, 22-00349A, 22-00382B, 22-00582A, 22-00583A in combination shall not exceed irrigation of 160 acres in the place of use described above in a single irrigation season.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4751
WATER RIGHT NO(S). 22-00225/22-00226/22-00307/22-00308
22-00347A/22-00348A/22-00349A/22-00382B/22-00582A/22-00583A
22-00618B

This is to certify that: TETON WEST IRRIGATION COMPANY INC
C/O HOLDEN KIDWELL HAHN & ETC
PO BOX 50130
IDAHO FALLS ID 83405

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 22-00225 : IRRIGATION Priority: 06/01/1897	04/15 to 10/15	1.60 CFS
Right No. 22-00226 : IRRIGATION Priority: 06/01/1898	04/15 to 10/15	1.60 CFS
Right No. 22-00307 : IRRIGATION Priority: 05/15/1899	04/15 to 10/15	2.00 CFS
Right No. 22-00308 : IRRIGATION Priority: 06/01/1901	04/15 to 10/15	1.20 CFS
Right No. 22-00347A : IRRIGATION Priority: 06/01/1901	04/15 to 10/15	0.20 CFS
Right No. 22-00348A : IRRIGATION Priority: 06/01/1902	04/15 to 10/15	0.60 CFS
Right No. 22-00349A : IRRIGATION Priority: 06/01/1903	04/15 to 10/15	0.40 CFS

MEMORANDUM

TO: FILE NOS. 22-00225/226/307/308/
347A/348A/349A/382/582A/583A/ & 618

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4751

DATE: January 16, 1997

=====

Transfer No. 4751 was filed to change the point of diversion and place of use under all of Right Nos. 22-00225/226/307/308/347A/348A/349A/582A & 583A and a portion of Right Nos. 22-00382 & 418, splitting each right into parts A & B.

This is the second transfer filed by Teton West Irrigation Company Inc. identifying a permissible place of use that contains a maximum of 1467 acres irrigated by all rights under Transfer Nos. 4750 and 4751. Transfer No. 4750 addressed the groundwater rights, while this transfer intends to update the surface water rights to reflect the current use.

The point of diversion is actually located in Wyoming and the water delivered down the Hog Canal to a private ditch. Although some claims were made on these rights in the SRBA, I have been advised by Don Shaff that, at this time, the claims will be recommended disallowed and not included in the adjudication because the point of diversion is outside the state.

These rights are considered high-water rights and available only early in the season during wet years and seldom continue for more than two to four weeks according to the applicant's attorney. The information about the historical use of these rights is sketchy and incomplete. The transfer approval is therefore based on the maximum acres authorized under these rights as decreed and proposed transferred.

The water is delivered through a ditch ending near a well allowing water to pond slightly at this low spot. The applicant's attorney stated that "pond" was stretching the definition, and that any surface water reaching this point appears to sink and apparently supplement the groundwater flows of the well nearby.

Season of use was adjusted to current department standards and combined limits determined from the decreed rights. Recommended conditions include watermaster control, measuring device & controlling works, irrigation overlap, right-of-way, permissible place of use, combined rights and standard transfer conditions.

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS.
ORIGINAL APPLICATION	22-00382	LITTLE, EDWIN S.	1.0

WATER RIGHT SPLIT BY TRANSFER NO. 4751 (1/16/97)

PARTIAL ASSIGNMENT	22-00382A	LITTLE, EDWIN S.	1.0
PARTIAL ASSIGNMENT	22-00382B	TETON WEST IRRIGATION COMPANY INC.	1.0

1/17/97

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 22-382A
Date Received: 10/4/1988
Receipt No: E002880
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

TETON WEST IRRIGATION CO INC Phone:
C/O LAUREN SOMPAYRAC
PO BOX 132
DRIGGS ID USA 83422

RECEIVED
MAY 10 2005

Department of Water Resources
Eastern Region

2. Date of Priority: 01/18/1905

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	46E	32	SE NW SE 3	TETON	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES FOR FLOOD IRR. OR REDIVER. PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	3.2	

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	46E	5	SW NE	2	IRRIGATION	30
			SE NW		IRRIGATION	10
			NE SW		IRRIGATION	8
			NW SE	3	IRRIGATION	6
					Section Acres	54
					Total Acres	54

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:

14. Remarks:

POD IS IN WYOMING AND IS DESCRIBED AS: T44N R118W SEC 5 SE1/4 NW1/4 NW1/4.
RIGHT SPLIT BY OWNERSHIP

C/O W/ DEEDS FROM ATTY.
AMENDED TO RECOMBINE 22-382B PORTIONS.
PERMISSIBLE PLACE OF USE BY TRANSFER #4751.

15. Basis of Claim: Decreed

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Secretary / Treasurer of
Title
Teton West Irrigation Co., that I have signed the foregoing
Organization
document in the space below as Secretary / Treasurer of
Title
Teton West Irrigation Co. and that the statements contained in the
Organization
foregoing document are true and correct. [Signature]
Signature of Authorized Agent
Secretary / Treasurer, Teton West Irrigation Co.
Title and Organization
5/9/05
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th

of May 2005



Allen B. Ruberry

Notary Public

Residing at Idaho Falls ID

My commission Expires 9/23/09

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: A22-00382A
Date Received: 9/27/1988
Receipt No: E002880
Received By: ESR

RECEIVED

OCT 4 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TETON WEST CORPORATION 801-583-8600
Address: C/O GEORGE HATCH
2185 S. 3600 W.
SALT LAKE CITY, UT 84119

2. Date of Priority: JAN 18, 1905

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	46E	32	SE	NW	SE	3	TETON

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRR. OR REDIVER. PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.080		

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

8. Total consumptive use is 108.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	46E	5	SW	NE	2	IRR	30.0
			SE	NW		IRR	10.0

A22-00382A

Page 1

Date: 09/27/88

A2200382A



MICROFILMED
NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	46E	5	NE	SW		IRR	8.0
			NW	SE	3	IRR	6.0
						Section Acres	54.0
						Total Acres	54.0

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:
GROUNDWATER RTS.

14. Remarks:

POD IS IN WYOMING AND IS DESCRIBED AS: T44N R118W SEC 5 SE1/4
NW1/4 NW1/4. RIGHT SPLIT BY OWNERSHIP

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ETAL
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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

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

Teton West Corporation, that I have signed the foregoing Organization document in the space below as President of Title

Teton West Corporation and that the statements contained in the Organization foregoing document are true and correct.

George C. Hatt
Signature of Authorized Agent

Pres. Teton West Corporation
Title and Organization

Oct. 3, 1988
Date

State of ~~Idaho~~ Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of Oct 19 88

Norma Oliver
Notary Public

Seal

Residing at Salt Lake, Utah
My Commission Expires 2/1/91

