

02/14/2012

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

RIGHT NUMBER: 22-513

NAME AND ADDRESS: TETON IRRIGATION & MFG CO
3381 N 5000 E
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 6.000 CFS

PRIORITY DATE: 07/01/1891

POINT OF DIVERSION:

T07N R41E S28 SWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.000 CFS

PLACE OF USE:

2506 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 2506 acres in a single irrigation season. Combined Right Nos.: 22-512, 22-513, 22-514, 22-549, and 22-13388.

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 Teton Irrigation & Manufacturing Company.

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

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 Teton Irrigation Canal.

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

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

05/25/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-513

TETON IRRIGATION & MFG CO

3381 N 5000 E

SUGAR CITY ID 83448

Telephone Number: (208)458-4149

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

June 30 05

SIGNATURE:

John S. Stocock

Please print your name:

John S Stocock

IDWR Regional Office,

PROFILED

SCANNED
JUL 01 2005

RECEIVED

JUN 30 2005

Department of Water Resources
Eastern Region

KMT
6/20

Contacts Data Entry Form

Claim Number: 22-00513

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: TETON TRAIL MAP CO. 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.SEE NOTES IN 22-512 AND PULL MAP

Reviewer: _____ Date: _____

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JUN 09 2005

Place Of Use Data Entry Form

Claim Number: 22-00513Claimed Place Of Use SEE CLAIM 22-00513

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

Total acres _____

Recommended Place of Use SAME AS CLAIMED

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:P.O.U. VERIFIED BY INSPECTION ON 1-19-05Reviewer: SM Date: 1-19-05

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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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Flowing	4/1	10/31	62	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

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

5001-6 Dept STD

Reviewer: _____

Date: SCAN

FILED

JUN 09 2005

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 22-513

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant TETON IRRIGATION & MFG CO
3381 N 5000 E
SUGAR CITY, ID 83448
(208)458-4149

Priority Date: 07/01/1891
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
TETON RIVER	HENRYS FORK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	6 CFS	
Recharge for Irrigation	04/01	10/31	6 CFS	
Total Diversion			6 CFS	

Location of Point(s) of Diversion:

TETON RIVER SWSWNW Sec. 28 Township 07N Range 41E FREMONT County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

1. 135 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.

2. C18 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.

3. F06 The following rights are also diverted through point of diversion described above: 22-512, 22-513, 22-514, 22-549, 22-13388.

4. F01 Water is delivered through Teton Irrigation & Mfg Co canal.

5. E56 The rights listed below are limited to the irrigation of a combined total of 2926.3 acres in a single irrigation season. Combined Right Nos.: 22-512, 22-513, 22-514, 22-549, and 22-13388

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

Signature(s)

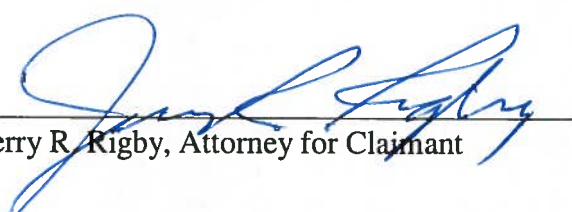
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

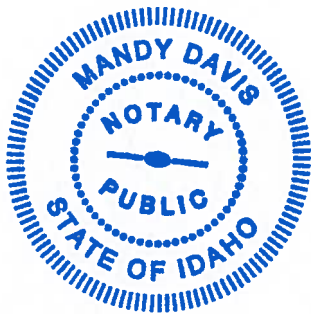
STATE OF IDAHO,)

SS.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mandy Davis

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

05/25/2005

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

RIGHT NUMBER: 22-513
NAME AND ADDRESS: TETON IRRIGATION & MFG CO
3381 N 5000 E
SUGAR CITY ID 83448
SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK
QUANTITY: 6.000 CFS
PRIORITY DATE: 07/01/1891
POINT OF DIVERSION:

T07N R41E S28 SWSWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.000 CFS

PLACE OF USE:

Large Place of Use

2990.11 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.

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EXPLANATORY MATERIAL: Decreed

Water is delivered through Teton Irrigation & Mfg Co canal.

The following rights are also diverted through point of diversion described above: 22-512, 22-513, 22-514, 22-549, 22-13388.

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: A22-00513
Date Received: 3/03/1989
Receipt No: E006120
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TETON IRRIGATION AND MANUFACTURING CO. 208-458-4149
Address: 3381 N. 5000 E.
SUGAR CITY, ID 83448

2. Date of Priority: JUL 01, 1891

3. Source: TETON RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	28	SW	SW	NW		FREMONT

5. Description of diverting works:
CEMENT DAM 240' LONG. CEMENT HEADING WITH TWO GATES (10'X6').

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		

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

8. Total consumptive use is 6229.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	40E	1	NE	NE		IRR	40.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A22-00513

Page 1

Date: 03/06/89

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Department of Water Resources
Eastern District Office

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OCT 28 1994

A2200513



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
06N	40E	1	NE		NW		IRR	30.0		
			NW		NW		IRR	10.0		
			SW		NW		IRR	5.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	40.0		
			NW		SW		IRR	40.0		
			SW		SW		IRR	39.0		
			SE		SW		IRR	40.0		
			NE		SE		IRR	39.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	39.0		
			SE		SE		IRR	39.0		
			Section Acres							560.0
				2		NE		SE		IRR
			SE		SE		IRR	23.0		
Section Acres							63.0			
	11		NE		NE		IRR	15.0		
			SW		NE		IRR	5.0		
			SE		NE		IRR	40.0		
Section Acres							60.0			
	12		NE		NE		IRR	39.0		
			NW		NE		IRR	39.0		
			SW		NE		IRR	40.0		
			SE		NE		IRR	39.0		
			NE		NW		IRR	40.0		
			NW		NW		IRR	38.0		
			SW		NW		IRR	37.0		
			SE		NW		IRR	38.0		
			NE		SW		IRR	40.0		
			NW		SW		IRR	36.0		
			SW		SW		IRR	38.0		
			SE		SW		IRR	37.0		
			NE		SE		IRR	40.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	2.0		
			SE		SE		IRR	2.0		
Section Acres							545.0			
	13		NW		NE		IRR	7.0		

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OCT 28 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	40E	13	NE	NW		IRR	38.0
			NW	NW		IRR	38.0
			SW	NW		IRR	20.0
			SE	NW		IRR	14.0
			Section Acres				117.0
		14	NE	NE		IRR	40.0
			NW	NE		IRR	14.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	24.0
			NW	SE		IRR	13.5
			Section Acres				171.5
	41E	6	NE	NE		IRR	4.0
			NW	NE		IRR	38.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	38.0
			SW	SE		IRR	29.0
			Section Acres				509.0
		7	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	20.0
			Section Acres				220.0
07N	40E	36	NE	SE		IRR	37.0
			NW	SE		IRR	30.0
			SW	SE		IRR	30.0

SCANNED

JUN 09 2005

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OCT 28 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	36	SE	SE		IRR	36.0
			Section Acres				133.0
	41E	29	NE	SW		IRR	11.0
			NW	SW		IRR	26.0
			SW	SW		IRR	36.0
			SE	SW		IRR	20.0
			NW	SE		IRR	31.0
			SW	SE		IRR	12.0
			Section Acres				136.0
		30	SE	SE		IRR	14.0
			Section Acres				14.0
		31	NE	NE		IRR	38.0
			NW	NE		IRR	32.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	14.0
			SW	NW		IRR	27.0
			SE	NW		IRR	36.0
			NE	SW		IRR	27.5
			NW	SW		IRR	26.0
			SW	SW		IRR	26.0
			SE	SW		IRR	26.5
			NE	SE		IRR	23.8
			NW	SE		IRR	23.7
			SW	SE		IRR	23.0
			SE	SE		IRR	24.5
			Section Acres				428.0
		32	NW	NW		IRR	5.0
			SW	NW		IRR	13.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	30.0
			SE	SW		IRR	30.0
			Section Acres				158.0
			Total Acres				3114.5

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JUN 09 2005

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OCT 28 1992

11. Place of use in counties: MADISON, FREMONT

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A22-00548/00549/00514/00580/00635/00672.

14. Remarks:

TETON IRRIGATION AND MANUFACTURING CO. OWNS THE WATER RIGHTS. THE LAND IS OWNED BY THE 174 SHAREHOLDER.

IN 1975 THE TETON IRRIGATION AND MANUFACTURING CO. COMBINED WITH SIDDOWAY IRRIGATION AND MANUFACTURING CO. WITH TETON BECOMING THE SURVIVING CO.

SEE NOTICE OF CLAIM A22-00548 FOR MAP OF SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 7/01/1891

REXBURG IRRI. CO.

Decree Plaintiff

vs

TETON IRRI. CANAL CO.

Decree Defendant

SCANNED

JUN 09 2005

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OCT 28 1996

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 _____
Title

Teton Irrigation & Mfg. Co., that I have signed the foregoing
Organization

document in the space below as PRESIDENT of _____
Title

Teton Irrigation & Mfg. Co. and that the statements contained in the
Organization

foregoing document are true and correct.

W. Don Hedman, President
Signature of Authorized Agent

Teton Irrig. & Mfg. Co.
Title and Organization

3-13-1989
Date

State of Idaho)
County of MADISON) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of March 19 89

Wanda S. Richman
Notary Public

Seal

Residing at Rt 1 Sugar City, Idaho 83448
My Commission Expires 1-31-93

PROFILED

SCANNED
JUN 09 2005

MICROFILMED
OCT 28 1994