

11/28/2006

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

RIGHT NUMBER: 22-4140

NAME AND ADDRESS: GRAND TETON CANAL CO LTD
PO BOX 1099
DRIGGS ID 83422

Disallowed

SOURCE: DRY CREEK

TRIBUTARY: TETON CREEK

QUANTITY: 60.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T05N R46E S7 SWSENE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

60.000 CFS

PLACE OF USE:

7440 ACRES TOTAL

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

RECEIVED

FEB 05 2007

DEPARTMENT OF
WATER RESOURCES

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

A: Subcase 22 - 4140

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: John Letham V.P. Grand Teton Canal Co.

Address: 228 N Hwy 33 Driggs 83422

Daytime Phone: 208-254-2477 < 208-351-1945

Name & Address of Attorney, if any:

Kent Foster
1000 River Walk Dr.
St 200 Idaho Falls Id 83405

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Grand Teton Canal Co Ltd

Address: P.O. Box 1099

Driggs Id 83422

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): water right has been

used for years. Any time water was there see
photos. it was put to beneficial use as land on general terms
and canal co.

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JAN 24, ²⁰⁰¹~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Grand Teton Canal Co Ltd.
Address: P.O. Box 1099
Driggs ID 83422 ATT John Latham V.P.

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

John Latham V. Pres.
Signature of Objector or attorney
mailing on Objector's behalf

F:

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Teton)

John Letham
(Name of person filing objection)

, duly sworn, upon oath, deposes and says:

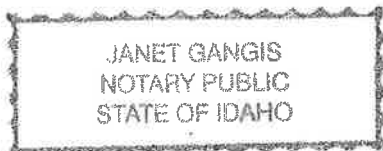
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

John Letham V. Pres.
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 24, 2007



Janet Gangis
Notary Public for Idaho
Residing at: Tetonia
My Commission Expires: 4/31/10

433

WARRANTY DEED

TO: Ernie Carlson
 From: Harvey Williams

Ray Dry Creek

No. of Instrument 46840

This Indenture, Made the fourth day of October in the year of our Lord one thousand nine hundred and twelve, between N.V. Jones and his wife Elizabeth D.B. Jones Annie F.A. Hilton and her husband William Hilton of Salt Lake City of the County of Salt Lake and State of Utah the part 1st of the first part, and Driggs Ariel V. Butler A Leroy Butler Anna M. Butler and Marion W. Butler of the County of Fremont and State of Idaho the part 1st of the second part,

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of

Seventy-two Hundred (\$7200.00)

DOLLARS,

lawful money of the United States of America, to them in hand paid by the said part 1st of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey and Confirm unto the said part 1st of the second part, and to their heirs and assigns, forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Fremont and State of Idaho and bounded and described as follows, to-wit:

The north east quarter of section eleven and the north west quarter of section twelve in township five North of Range forty five East of Boise Meridian, together with 320 shares of the Capital Stock in the Grand/Canal Company, Limited, as water rights, with said land.

This sale is made subject to the annual taxes on said property for the year A D 1912, which the grantees hereby assume and agree to pay.

together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part 1st of the second part, to their heirs and assigns forever. And the said part 1st of the first part and their heirs, the said premises in the quiet and peaceable possession of the said part 1st of the second part, their heirs and assigns, against the said part 1st of the first part, and their heirs, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have herunto set their hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

W. F. Williams

N.V. Jones (SEAL)
 Elizabeth D.B. Jones (SEAL)
 Annie F.A. Hilton (SEAL)
 William Hilton (SEAL)

Utah
 STATE OF IDAHO,

County of Salt Lake

ss.

On this fourth day of October in the year 1912,

before me, W. F. Williams

a Notary Public

in and for said County

and State, personally appeared N.V. Jones and his wife Elizabeth D.B. Jones, Annie F.A. Hilton and her husband William Hilton known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that

they executed the same.

In Witness Whereof, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires

Seal.

W. F. Williams, Notary Public

Recorded at the request of
 this day of

G. E. Bowdman
 Nov.

A. D. 1912, at minutes past 1 o'clock P. M.

By Transcribed from Book 11 of Deeds page 308. Fremont County Records.
 Transcribed from Book 25 of Deeds page 400 Madison Co Records.

Recorder.

December 6, 2006

State of Idaho
Department of Water Resources
900 North Skyline Dr., Suite A
Idaho Falls, ID 83402

RE: WATER RIGHTS

I have a copy of a Warranty Deed, transcribed from Book 11 of Deeds page 309, Fremont County Records, and transcribed from Book 25 of Deeds page 400 Madison Co. Records, for the purchase of property (NE1/4 of Section 11 and NW 1/4 of Section 12 in T4N, R45E of Boise Meridian) along with 320 shares of water rights in the Grand Teton Canal Company, by the Butler brothers, one of whom was my father, Marion W. Butler, dated 4th of October 1912.

I was born in 1920 on the above described property and the property has been in the family since that time. As early as I can remember, the water in Grand Teton Canal has been supplemented by water from Dry Creek as the two intercept each other. The water right claim to Dry Creek was first applied to beneficial use in May 1, 1898 according to "Claim to Water Right", State of Idaho, Department of Water Resources (copy attached).

Water from Dry Creek, Teton Creek, Grand Teton Canal have been and still are important to the survival of the farmers and land owners here, and these early water rights need to be preserved.

Signed and dated this 6 day of December, 2006.

W. Troy Butler
W. Troy Butler
359 North Highway 33
Driggs, Idaho, 83422

SCANNED

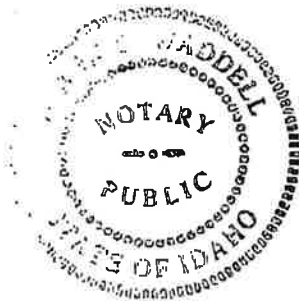
Received Time Dec. 7. 9:56AM

AUG 21 2007

ACKNOWLEDGMENT CERTIFICATE

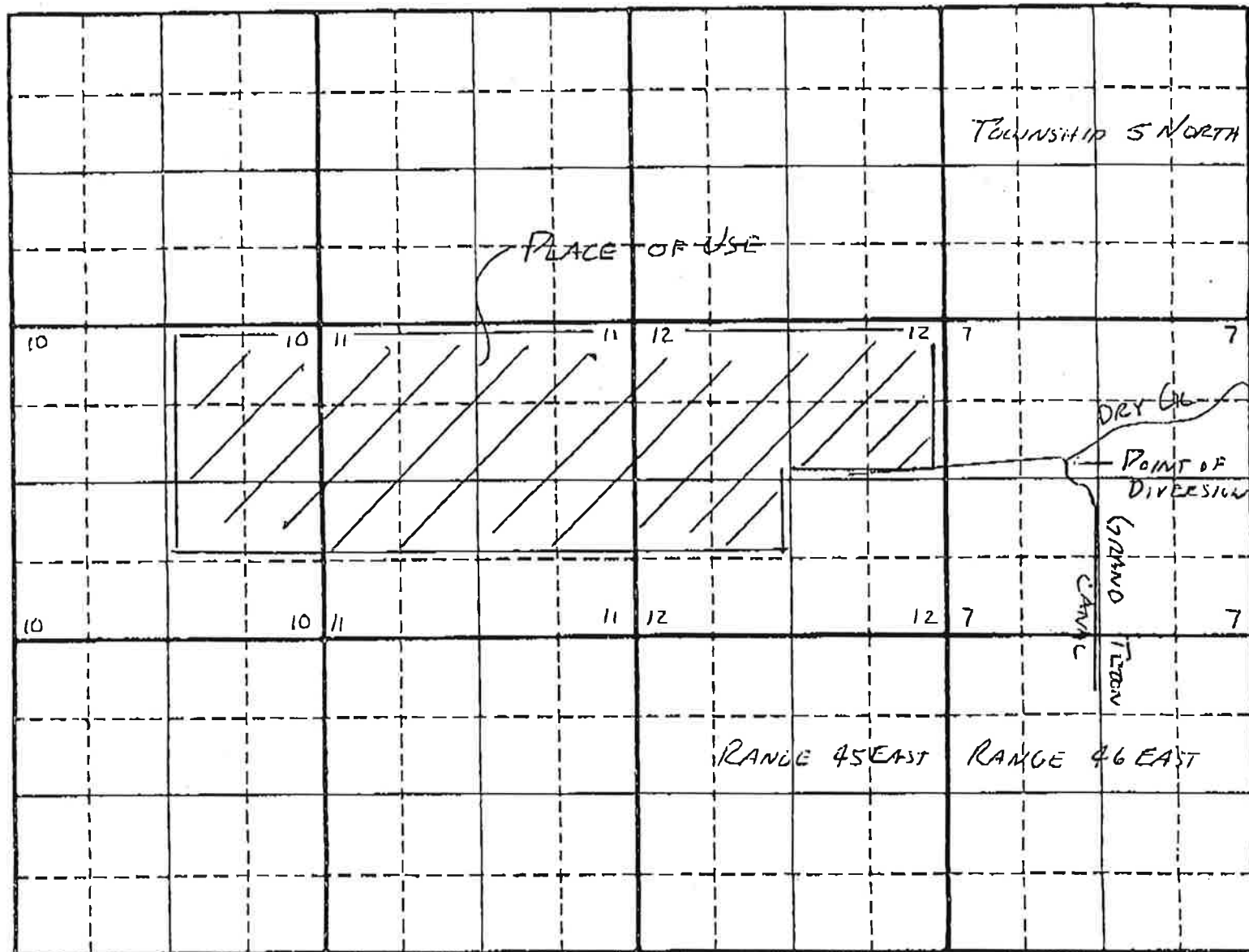
STATE OF IDAHO)
):S.S.
County of Teton)

On this 6th day of December, in the year of 2006, before me DeAnn B. Waddell a notary public, personally appeared W. TROY BUTLER, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledge to me that he executed the same.



DeAnn B. Waddell
Notary Public for the State of Idaho
Resides in Driggs, Idaho
My Commission Expires on October 15, 2011

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Benewah

) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

day of

June1987W. Tracy Butler (Director)

(Claimant)

JUN 21 2007

[*]

WATER RESOURCES
IDAHO FALLS, ID

RECEIVED
NOV 27 2006
Department of Water Resources
Eastern Region

I, W. Troy Butler, and my family, have used the water coming from Dry Creek since the late 1800's or early 1900's when my father homesteaded the farm.

Dated and signed this 22 day of November, 2006.

W. Troy Butler
W. Troy Butler

11-28-06

- Talked with ernie he said
not good enough.

if

SCANNED
AUG 21 2007

Water Right No(s) 22-4140

GPS # 2735403
1401276

GPS File - 224140

GPS DATA:

Tag # NA Location: _____

Diversion Data:

Source: Dry Creek Trib to: _____

MOTOR

Make: NA Model: _____ Hp: _____
SN: _____

PUMP

Make: NA Model: _____ Disch: _____
SN: _____

NOTES:

The above location is where Dry creek flows unimpeded into the Grand Teton Canal. Accompanied by Leavelle Johnson (phone # 354-2471 or 709-4727). I also asked Leavelle for some proof of priority which he is pursuing. From Troy Butler.

Field Exam Date: Oct. 23, 2006 Agent: J. W. Jones

SCANNED

AUG 21 2007

Claim No. 22-4140

Document Checklist

☐ Copy License/Decree

Can't find Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☐ Generate Arcview Map

Over 7,000 acres
need canal company map

This source is potentially addressed by Rolanna Decree

SCANNED

AUG 21 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Grand Teton Canal Co. Ltd. c/o N. Troy Butler

(Name of Claimant)

Rt. 1, Box 1370, Teton, Idaho 83452

(Mailing Address)

(Zip Code)

Telephone No. 354-2451

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1898

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Dry Creek tributary to Teton Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

(Mo., Day)

Quantity 60 cfs

Use

Irrigation

Period of Use From

4-1

To

11-1

Quantity

Use

Period of Use From

To

Quantity

Use

Period of Use From

To

Quantity

Use

Period of Use From

To

Quantity

Use

Period of Use From

To

(4) 60 cfs TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NW 1/4, Sec. 7 Twp. 5N Rge. 46E B.M., County of Teton

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch which intercepts flow of Dry Creek

A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	45E	10	40	40	40	40									40	40			240
		11	40	40	40	40	40	40	40	40	40	40			40	40			480
		12	40	40	40	40	40	40	40	40	40	40							400

No. of acres 1120

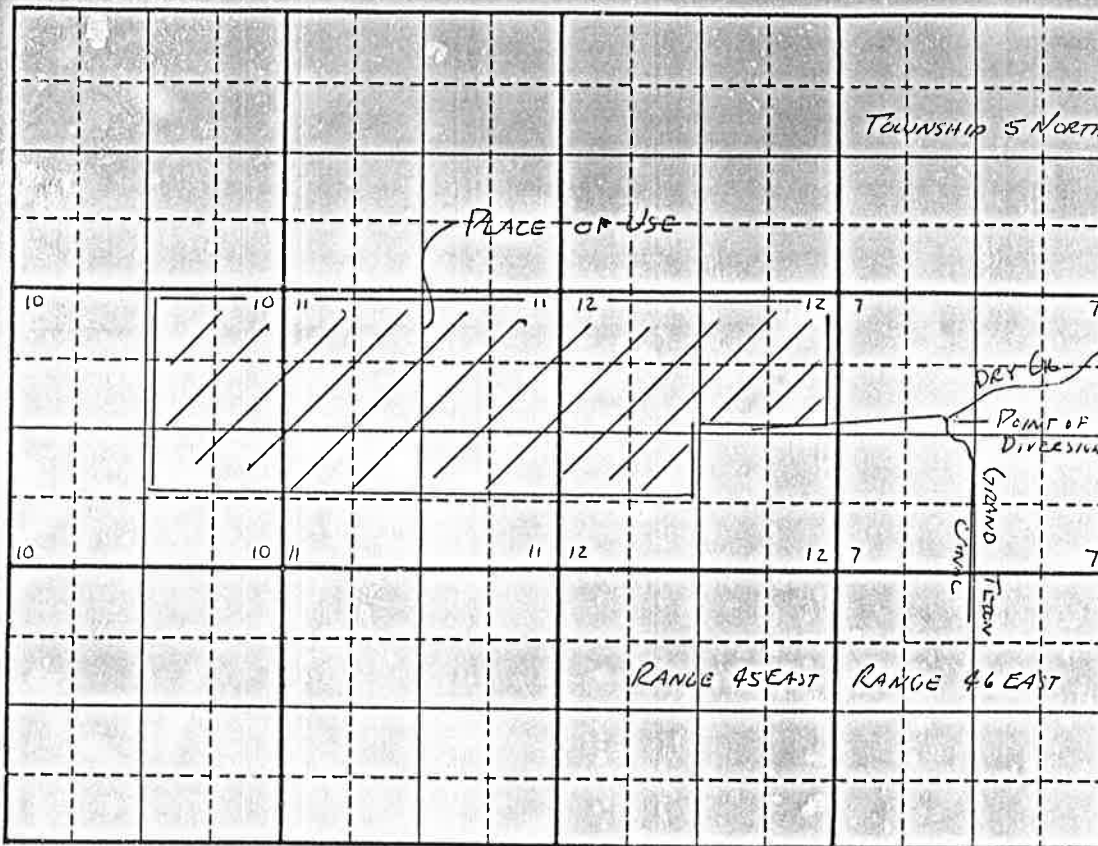
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

AUG 12

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Bonneville

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 30th day of June, 1985.

W. Troy Butler (Director)
(Claimant)

Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by S.M. HWS Date 6-20-85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CW Date 8-15-85
\$30.00 fee received by CW Date 6-30-85
Published in Idaho Valley News # 25742
Dates 9/11 - 9/18/85

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**

US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

RECEIVED
JUN 11 2003
Department of Water Resources
Eastern Region

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

June 10, 2003

Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Notice of Claim to a Water Right in the name of Grand Teton Canal Co.

Dear Ladies and Gentlemen:

Enclosed with this letter are three (3) Notices of Claim to Water Rights on behalf of Grand Teton Canal Company, together with the company's check in the amount of \$7,740.00 for the filing fee. This appears to have been computed on the basis of 7,440 acres plus a \$50.00 filing fee for each claim, plus a \$50.00 late fee for each claim.

As you are aware, most of the water distributed through the Grand Teton Canal Company canal delivery system is diverted in the State of Wyoming and for many years company officers were advised by IDWR officials that SRBA claims could not be filed because of this fact. We understand that policy changed some time ago and so the company has been involved in the straightening out of its affairs in order to file these claims. A portion of the company lands was placed under a pipeline system many years ago which entailed a new diversion and delivery system for those lands. It has taken a great deal of effort to finally sever the relationship with the owners of the former lands, but we think that has now been completed and that that entity will be acting on its own behalf as the Grand Teton Pipeline Association or some similar title.

SCANNED

AUG 21 2007

June 10, 2003

Page 2 of 2

Thank you for your kind attention to this matter and if any adjustments need to be made, please contact us at your convenience.

Yours very truly,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\1040 GRAND TETON CANAL CO\IDWR ltr. 061003.wpd:cdv

SCANNED
AUG 21 2007

GPS TAG # A0014228

WYOMING

IDAHO

State
Line
Road



Teton Creek
Road Side

Bridge where Grand Teton Canal crosses Wyoming - Idaho
state line,

SCANNED

AUG 21 2007



GPS Tag# AO013614

04/08/2004
ARuberry

Grand Teton Canal POD
Teton Creek
NENWNW Sec. 29
T44N, R118W Wyoming

SCANNED
AUG 21 2007



7/12/2004 2:46:53 PM; AR, CF

Grand Teton Canal Heading off Teton Creek

Wyoming Diversion.



22-4140 ; Dry Creek Flowing into Grand Teton Canal



Grand Teton Canal

SCANNED

AUG 21 2008

05N46E7

● 224140

ANNE

MAR 21 4

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 22-4140
Date Received: 6/13/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GRAND TETON CANAL CO LTD Phone: (208)354-2534
PO BOX 1099
DRIGGS ID USA 83422

2. Date of Priority: 01/22/1916

3. Source: DRY CREEK Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	7	SE NW	TETON	

5. Description of diverting works:

CEMENT HEADGATE, 8 FEET WIDE, 6 FEET DEEP FOR DITCH WHICH INTERCEPTS FLOW OF
DRY CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	60	

7. Total Quantity Appropriated is:
60 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	45E	10	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 320

05N	45E	11	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 640

05N	45E	12	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 640

05N	45E	13	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40

SCANNED

			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 640

05N	45E	14	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 640

05N	45E	15	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 400

05N	45E	22	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40

Section Acres 560

05N	45E	23	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40

SCANNED
AUG 21 2007

			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	560
05N	45E	24	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	640
05N	45E	25	NE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
					Section Acres	280
05N	45E	26	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
					Section Acres	240
05N	45E	27	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40

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			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	600
05N	45E	34	NE	NE	IRRIGATION	40
					Section Acres	40
05N	45E	35	NW	NW	IRRIGATION	40
					Section Acres	40
05N	46E	7	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	320
05N	46E	18	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	160
05N	46E	19	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	640
05N	46E	20	SW	NW	IRRIGATION	40
			NW	SW	IRRIGATION	40
					Section Acres	80

Total Acres 7440

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:

OTHER WATER RIGHTS USED 22-277 AND 22-144

15. Basis of Claim: Decreed

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 22-4140

Date Received 6-11-03

Receipt Number E028868

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

1. Name of Claimant(s) Grand Teton Canal Company, Limited Phone (208)354-2534
Mailing Address P.O. Box 1099, Driggs, Idaho Zip 83422
2. Date of Priority (Only (1) per claim) January 22, 1916
3. Source of water supply (a) Dry Creek
which is tributary to (b) Teton River
- 4.a. Location of existing point of diversion is:
Township 5N Range 46E. Section 7, 1/4 of SE 1/4 of NW 1/4, Govt. Lot , County of Teton
Additional points of diversion if any: NONE
- 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. Cement headgate, 8 feet wide, 6 feet deep for ditch which intercepts flow of Dry Creek.
6. Water is claimed for the following purposes: (Both dates are inclusive) (cfs) (acre feet)
For Irrigation Purposes from April 1 to Nov. 1 amount 60.00 cfs or
7. Total quantity claimed (a) 60.00 (cfs) and/or (b) (acre feet)
8. Total consumptive use claimed is acre feet per annum.

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9. Non-irrigation uses; describe fully (e.g. Domestic: Give number of household 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	
5N	45E	10	40	40	40	40									40	40	40	40	320
		11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		15	40			40					40	40	40	40	40	40	40	40	400
		22	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
		23	40	40	40	40	40	40	40			40	40	40	40	40	40	40	560
		24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		25	40				40	40	40	40	40	40							280
		26					40	40	40	40		40	40						240
		27	40	40	40	40	40		40	40	40	40	40	40	40	40	40	40	600
		34	40																40
		35						40											40
			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	
5N	46E	7					40	40	40	40	40	40	40	40					320
		18									40	40	40	40					160
		19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		20							40			40							80

Total number of acres irrigated 7,440

11. In which county(ies) are lands listed above as place of use located? Teton

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.
22-277 and 22-144 or None ()

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Last Name Grand Teton Canal Co. Ident. Number 22-4140

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14. Remarks:

All lands described above are lands of the stock holders of Grand Teton Canal Company.

15. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice ☐ Permit ☐ Decree ☒ License ☐
If applicable provide IDWR Water Right Number 22-4140 (Statutory Claim under Idaho Code §42-243 filed by Troy Butler on behalf of the company)

Court Case Number Decree Date

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

For Organizations: I do solemnly swear or affirm that I am President of Grand Teton Canal Company, that I have signed the foregoing document in the space below as President of Grand Teton Canal Company and that the statements contained in the foregoing document are true and correct.

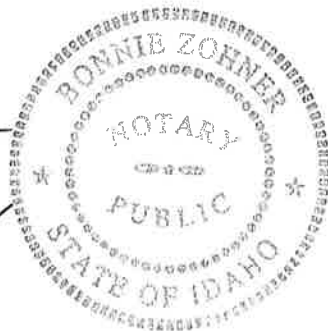
Signature of Authorized Agent Lawell Johnson Pres.

Title and Organization Grand Teton Canal Co. Ltd Date May 23 - 03

State of Idaho)
) SS.
County of Teton)

Subscribed and sworn (or affirmed) before me this 23rd day of May, 2003.

Notary Public Bonnie Zohner
Residing at Driggs Idaho
My Commission Expires 10/01/2004



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: P.O. Box 50130, Idaho Falls, ID 83405
Date 6/10/03