

09/25/2006

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

RIGHT NUMBER: 22-7100

NAME AND ADDRESS: TETON PIPELINE ASSN INC
C/O HOLDEN KIDWELL HAHN & CRAPO, PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 6.980 CFS
1,683.00 AFY

The rights listed below are limited to a total combined diversion rate of 66.80 cfs and to a total combined annual diversion volume of 45717.0 AF.
Combined Right Nos.: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.

PRIORITY DATE: 08/07/1974

POINT OF DIVERSION:
T06N R44E S3 SWNWSE Within TETON County
T06N R44E S10 NWSENE Within TETON County
T06N R44E S15 SWNESE Within TETON County
T06N R44E S15 NWSESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	6.980 CFS 1,683.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

13062 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 does not include federal public lands

This right is limited to the irrigation of 561 acres within the place of use described above in a single irrigation season.

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.

This right is subject to regulation by the watermaster of Water District 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-13271 is an enlargement of the following rights pursuant to Section 42-1426, Idaho Code: 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7505 and 22-7470.

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

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

The following rights are also diverted through points of redirection/diversion described above: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

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APR 24 1981

Department of Water Resources
Eastern District Office

WATER RIGHT LICENSE

License of Water Right No. 22-7100 Priority August 7, 1974 Amount 6.98 cfs

THIS IS TO CERTIFY, that EHCO RANCH, INC.
 of Rexburg, Idaho, has complied with the terms and conditions of Permit
 No. 22-7100 issued pursuant to Application for Permit dated August 7, 1974,
 and has submitted proof to the Department of Water Resources on December 16, 1975,
 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
 capacity for the diversion of 8.47 cfs of water from Teton River,
 tributary to Snake River, and that the permit holder has applied to a beneficial use and
 established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>October 15</u>	at <u>6.98</u> cfs and	<u>1683</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 6.98 cfs of water be diverted at any one time, and
 that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
 aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1683 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 6N,
Rge. 44E, B.M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	44E	20	40	21	30	40	40	38	40	35	25	40	40	25	40	33	34	40	561

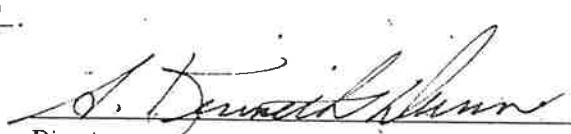
Total number of acres irrigated 561

Use of water under this license is subject to control by the watermaster of State
 Water District No. 01, Upper Snake River.
 A measuring device of a type approved by this Department shall be maintained as a
 part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of
April, 19 81.


 Director

Basir	Seque	Sufi	Basis	Priority	Dat	Rate(c)	Volume	Source	Water Use(s)	Owner(s)
22	145	B	Decreed ✓	1/22/1916		9.89		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	221	B	Decreed ✓	1890-09-01		1.93		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	245	B	Decreed ✓	1890-04-01		1.07		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	435	B	Decreed ✓	1889-07-15		1.34		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7044	A	License ✓	3/26/1971		2.65	420	TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7044	B	License ✓	3/26/1971		1.36	210	TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7100		License	8/7/1974		6.98		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7108		License ✓	10/11/1974		9	2244.9	TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7110	A	License ✓	10/15/1974		2.52		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7110	B	License ✓	10/15/1974		2.6		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7111		Permit	11/12/1974		3.6		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7116		Permit	12/3/1974		5.12		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7119		Permit ✓	12/10/1974		3.44		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7120		Permit	1/14/1975		2.56		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7121		Permit	1/14/1975		5.82		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7122		Permit	12/31/1974		5.74		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7148		Permit ✓	7/23/1975		5.74		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7157		Permit ✓	8/6/1975		5.39		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7159		License ✓	8/18/1975		1.9	285	TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7181		License ✓	4/1/1976		3.2	480	TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7186		Permit ✓	4/27/1976		3.07		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7188		Permit ✓	7/6/1976		7		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7208		Permit ✓	2/10/1977		9		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7209		Permit ✓	2/10/1977		18.28		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7211		Permit ✓	2/22/1977		6		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7216		Permit ✓	3/4/1977		4		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7223		Permit ✓	4/5/1977		6.68		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7235		Permit ✓	6/7/1977		5.12		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7295		Permit ✓	6/12/1979		3.36		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7360		Permit ✓	4/14/1981		1.74		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7375	A	License	8/17/1981		7.33		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7375	B	Permit ✓	8/17/1981		6.22		GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7392		License ✓	3/22/1982		7.18	1140	TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	7470		License ✓	7/21/1983		3		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	13271		Beneficia ✓	4/1/1985		1.7		TETON RIVER	IRRIGATION	TETON PIPELINE ASSN INC (Current)
22	13288			4/15/1987				GROUND WATE	IRRIGATION	TETON PIPELINE ASSN INC (Current)

All
Licenses

All
Lic. 100

Lic. AS
7375

FIELD REPORT

- Permit No. 22-7100
- Examination for b/u

- Description of diverting works: 300 hp motor and turbine pump, and 150 hp motor and can booster plus mainline and circular systems.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TOTAL ACREAGE 640

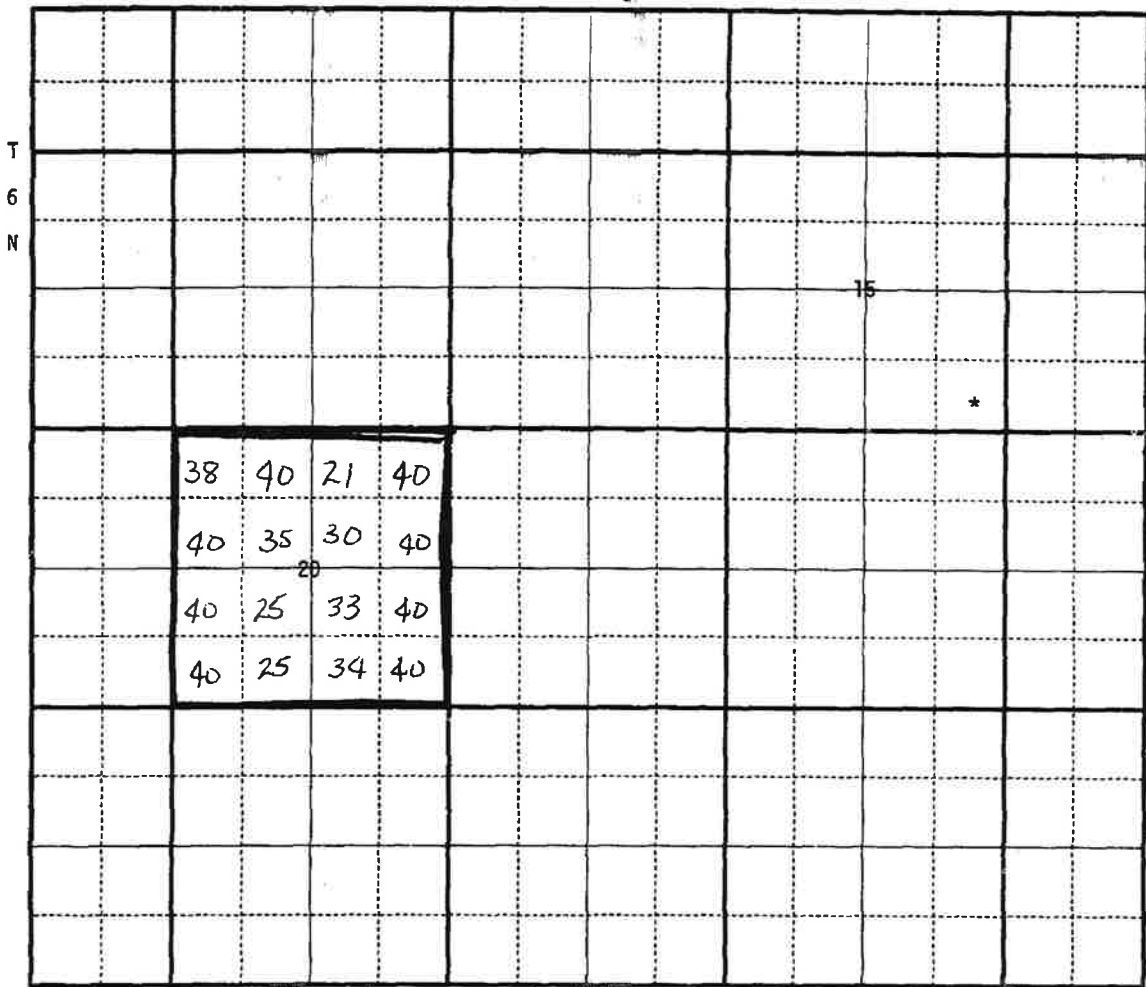
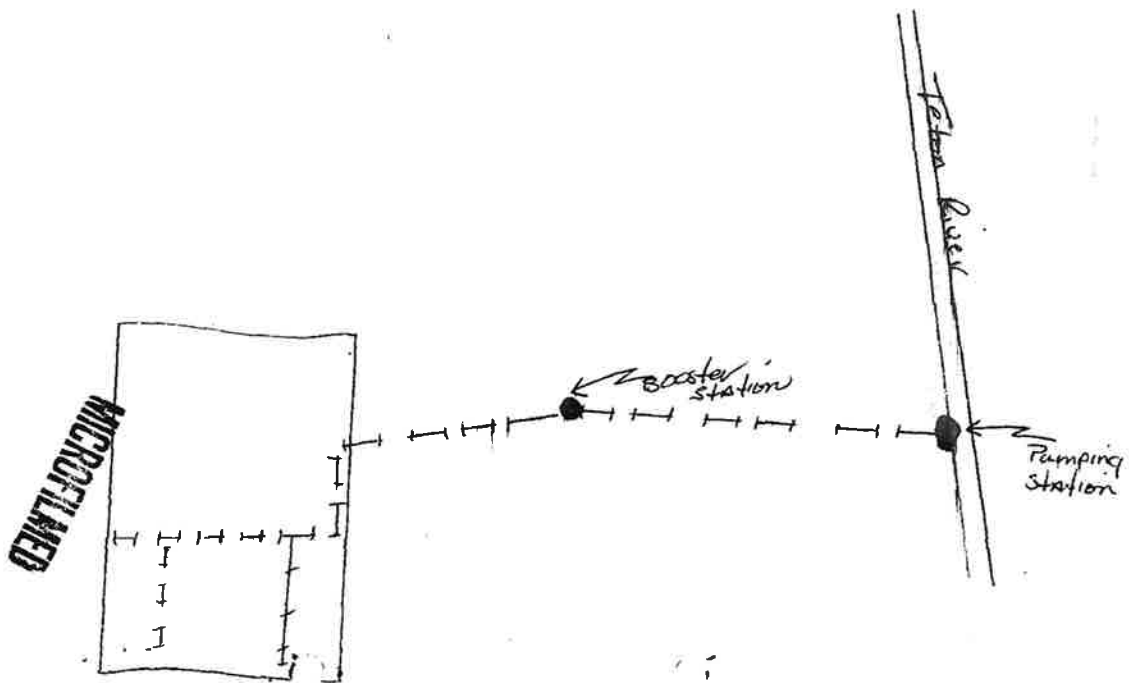


Diagram of System



DATE OF EXAM Aug 10, 1976

ACREAGE
Found 561 ✓
Recommended 561 ✓

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 6.98 c.f.s. V = 1683.0 AF/Ann. from Apr 15 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes ☒ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County _____

Total Q measured 8.47 cfs Method of measurement In Line Meters

Total Q recommended 6.98 cfs Meter 76-20-2001 type McCrom. Condition Std Cond.

Total V recommended 1683.0 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

River Pump Station meter → 5,800 gal/min - 2,000 = 3,800 gal/min
Art Hoops Diversion → 2,000 gal/min

Q = 3,800 gal/min / 448.8 = 8.47 cfs (8.467) Allow 6.98 AS per permit
V = 561 Ac x 3.0 = 1683.0 AF/Ann V = 6.98 x 19835 x 183 = 2533.6

SYSTEM DESCRIPTION:

River Pump Station → 6-150 hp motors & matched pumps.
Booster Station → 5-125 hp pumps & motors
4 mi. Pipe Circle (McL. Brown) 21 1/4 mi. Laterals both wheel and
hand lines with 5/32" No. 3
Booster: 75 hp motor Ser. # EG-5505424 Aurora Pump Ser. #
775-724-78

REMARKS:

System and land shown by Earl Hoops.
Earl Hoops owns 27/100% of Booster Station and
50% of River Pump Station
No Conflicting Rights

Miner's Signature Bill Rheaps Date Apr 26, 1977
Checked by Rodney A Parker Date 1/15/79
Approved by [Signature] Date 3/11/81

APPROVED

Township
06N

Range
44E

Section
20



Notes:

Water Right #: 2207100

Examiner

Date:



800 0 800 1600 2400 3200 4000 Feet

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 22-7100
Date Received 2/26/04
Receipt Number E029559

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 25 2004
Department of Water Resources
Eastern Region

1. Name of Claimant(s) Teton Pipeline Association, Inc. Phone(208) _____
Mailing Address P.O. Box 272, Teton, Idaho Zip 83452

2. Date of Priority (Only (1) per claim) August 7, 1974

3. Source of water supply (a) Teton River
which is tributary to (b) Henry's Fork

4.a. Location of existing point of diversion is:
Township 6N Range 44E Section 15, ___ 1/4 of SE 1/4 of SE 1/4, Govt. Lot ___,
County of Teton

Additional points of diversion if any: _____

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. Pump on Teton River

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

For Irrigation purposes from 04/15 to 10/15 amount 6.98 cfs or _____

7. Total quantity claimed (a) 6.98 (cfs) and/or (b) ___ (acre feet)

8. Total consumptive use claimed is ___ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of
livestock Etc.) _____

10. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - b. 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	
6N	44E	20	40	21	30	40	40	38	40	35	25	40	40	25	40	33	34	40	561

Total number of acres irrigated 561

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.
or None ()

14. Remarks:
Place of Use consists of lands of stockholders of the company

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree License X
If applicable provide IDWR Water Right Number
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

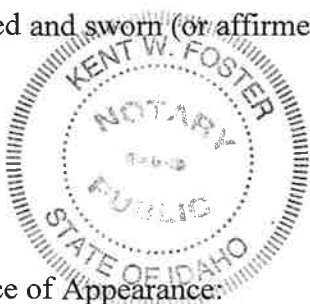
For Organizations: I do solemnly swear or affirm that I am President of Teton Pipeline Association, Inc., that I have signed the foregoing document in the space below as President of Teton Pipeline Association, Inc., and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Mark R. Riiks
Title and Organization President, Teton Pipeline Association, Inc. Date 2/20/04

Last Name Teton Pipeline Association Ident. Number 22-7100

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 20 day of February, 2004.



Notary Public Kent W. Foster
Residing at Idaho Falls, Idaho
My Commission Expires 11/20/04

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 83405-0130
Date 2/20/04

Last Name Teton Pipeline Association Ident. Number 22-7100