

09/25/2006

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

RIGHT NUMBER: 22-7110A  
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: 2.520 CFS  
900.00 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: 10/15/1974

POINT OF DIVERSION:  
T06N R44E S3 SWNWSE Within TETON County  
T06N R44E S10 NWSNW Within TETON County  
T06N R44E S15 SWNENW 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 11/01   | 2.520 CFS<br>900.00 AFY |

The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before April 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 300 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 right is subject to regulation by the watermaster of Water District 01.

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 - License

The following rights are also diverted through points of rediversion/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.

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

RECEIVED  
1946 1975

~~JAN 6 1976~~

## Teton River

(nature of use)

April 15

(nature of use)

(mo-day) inclusive (mo-day)

(nature of use)

(mo-day) inclusive (mo-day)

**Other uses:**

9.00

County

County

(2) 150 hp motor and turbine pumps, buried steel mainline

☒ по ☐

6 Lands to be irrigated or place of use

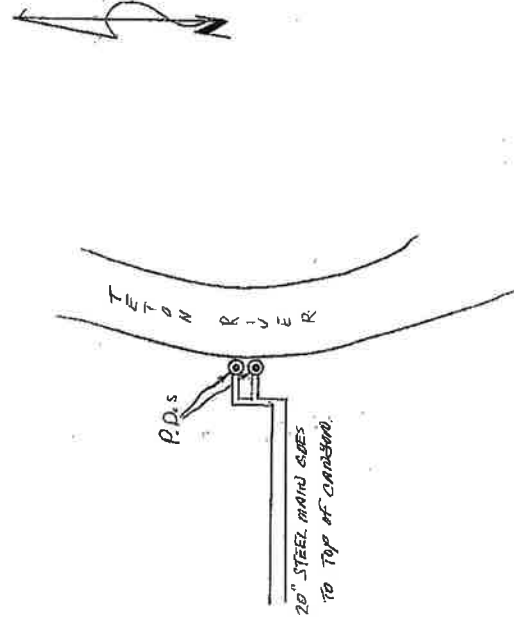
**TOTAL ACREAGE**

670

Lic. @ 608°

[illegible]

### Diagram of System



DATE OF EXAM 10 Aug 76

ACREAGE  
Found 768  
Recommended 608

Irrigation Requirement 3.0 Ac Ft/Ac

USE  
Irrigation Q= 5.12 cfs V= 1824 AF/Ann from April 15 to Oct. 15  
Domestic Q= \_\_\_\_\_ cfs V= \_\_\_\_\_ AF/Ann from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q= \_\_\_\_\_ cfs 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 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ☒

Name source exchanged with: \_\_\_\_\_  
twp \_\_\_\_\_ N/S Rge \_\_\_\_\_ E/W B M Sec \_\_\_\_\_ Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of injection: N.A.  
twp \_\_\_\_\_ N/S Rge \_\_\_\_\_ E/W B M Sec \_\_\_\_\_ Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of exchange: N.A.  
twp \_\_\_\_\_ N/S Rge \_\_\_\_\_ E/W B M Sec \_\_\_\_\_ Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Total Q measured 5.12 cfs Method of measurement in line meter

Total Q recommended 5.12 cfs Meter No 76 20 2002 Type Diaphragm Condition Std Condition

Total V recommended 1824

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None ☒

MEASUREMENT CALCULATION:

$Q = 2300 \text{ gpm} \times 4.488 = 5.12 \text{ cfs}$   
 $V = 608 \times 3 = 1824 \quad 1.9825 \times 715 \times 5.12 = 2193.48$

SYSTEM DESCRIPTION:

2 5.5" meters, 150 HP, 3 phase, serial #11155 & 1130156 w/ 2 vert. line pumps, 10 in. main from each pump connect to a 20 in. steel main to top of canyon then drops into a 5' x 15" main  
2 ~~vertical~~ center pivots & 8 1/2 mi wheel lines 5/2 in. nozzles.  
(model 2071)

REMARKS:

System & land shown by Earl Hoopes. The point of diversion is the same as that of Transfer #22-7044, but there are no overlapping lands.

TX 1786  
SPLIT R4 TO A and B

Examiner's Signature Ernest M. Carlson Date 1/25/77

Checked by Anthony R. Kozlowski Date 2/24/77

Approved by \_\_\_\_\_ Date \_\_\_\_\_



MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION **APPROVED**

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**To Change the Point of Diversion and/or the Place of Use**

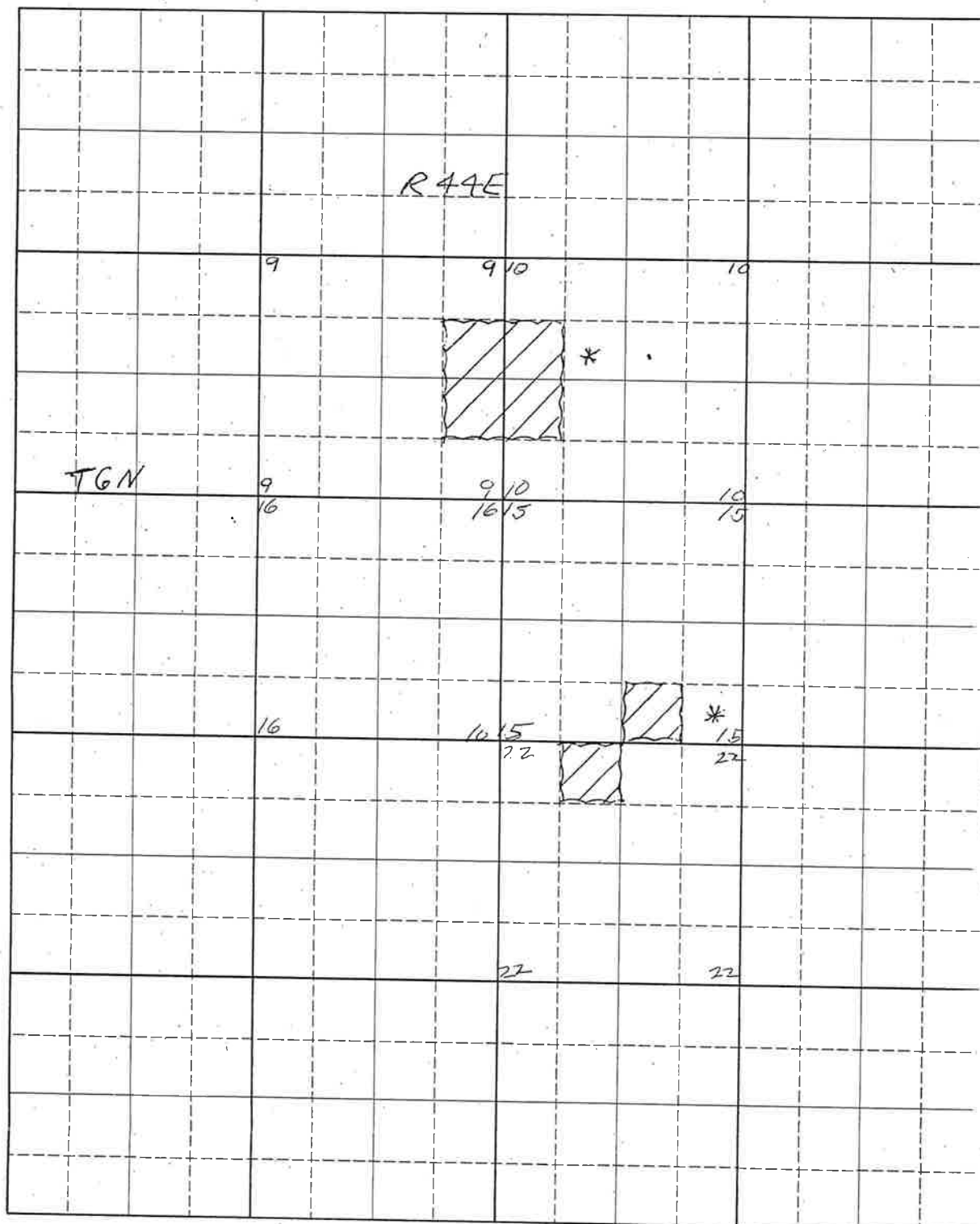
1. Name of Right Holder EARL N. Hoopes (CHCO Ranch)  
Post office address BOX 688 REXBURG IDAHO
2. Right obtained by:  
a. Decree to \_\_\_\_\_ in Case of \_\_\_\_\_  
(Name)  
vs. \_\_\_\_\_, Dated \_\_\_\_\_ in \_\_\_\_\_  
(Name of Court)  
Court, County of \_\_\_\_\_
- b. License No. 22-7044 issued by the State of Idaho, Department of Reclamation.
3. Source of water Teton River tributary to Snake River  
(Name of stream or source)
4. Date of Priority MAR. 26, 1951
5. Amount of water a. 4.01 c.f.s. and/or  
b. 630 acre feet/annum
6. Water is used for IRR from APRIL 1 to NOV 1  
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE 1/4 of Section 15,  
Township 6 N, Range 44 E, B.M., in Teton County;  
Additional points of diversion, if any \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Lands presently irrigated or place of use:

| TWP.       | RANGE       | SEC.      | NE 1/4 |        |        |        | NW 1/4 |        |                   |        | SW 1/4 |        |        |        | SE 1/4 |        |               |           | TOTALS     |
|------------|-------------|-----------|--------|--------|--------|--------|--------|--------|-------------------|--------|--------|--------|--------|--------|--------|--------|---------------|-----------|------------|
|            |             |           | 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    |            |
| <u>6 N</u> | <u>44 E</u> | <u>15</u> |        |        |        |        |        |        |                   |        |        |        |        |        |        |        | <u>2540 4</u> | <u>69</u> |            |
|            |             | <u>22</u> |        |        |        |        |        |        | <u>4036 30 35</u> |        |        |        |        |        |        |        |               |           | <u>141</u> |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |
|            |             |           |        |        |        |        |        |        |                   |        |        |        |        |        |        |        |               |           |            |

Total number of acres presently irrigated 210

22-7044



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired:

22-7044B  
10. CHANGE IN POINT OF DIVERSION 1.36 cfs from p.d. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 15, Twp. 6 N, Rge. 44

22-7044A  
a. Quantity to be diverted at new point: 2.65 c.f.s. and/or \_\_\_\_\_ acre feet

b. New point of diversion: SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 10, Township 6 N, Range 44 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion:

Turbine Pump and Motor

d. Is water to be conveyed to the lands previously irrigated? Yes \_\_\_\_\_ No \_\_\_\_\_

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Retain To Make Possible the use of mechanical equipment.

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? NO

Retain 1.36 at old point of diversion

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

#### 11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

| 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 $\frac{1}{4}$ |        |
| 6 N  | 44 E  | 10   |                  |                  |                  |                  |                  |                  | 35               |                  | 35               |                  |                  |                  |                  |                  |                  |                  | 70     |
| "    | "     | 9    |                  |                  | 35               |                  |                  |                  |                  |                  |                  |                  |                  | 35               |                  |                  |                  |                  | 70     |
| 6 N  | 44 E  | 15   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               |                  |                  | 40     |
|      |       | 22   |                  |                  |                  |                  |                  | 30               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 30     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 210

22-7044A

- b. Do you intend to make the transfer permanent? yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:  
NO I plan to leave steel  
main line pipe. I hope to acquire  
water <sup>for</sup> this land from Teton Dam when  
dam is completed and filled.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

EHCP RANCH INC  
Earl N. Hoopes  
President (signature of applicant)

Subscribed and sworn to before me this 4th day of February, 1974

Buelyn Allen  
(notary public)

My commission expires 2/2/75

**ACTION OF STATE RECLAMATION ENGINEER  
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 22-7044

and said application is hereby APPROVED

Approval of said application is subject to the following limitations and conditions:

1. That totalizing measuring devices of a type approved by this Department be permanently installed and maintained as part of the diverting works at both points of diversion.
2. That use of water under this transfer is subject to control by the Watermaster of State Water District No. 01, Upper Snake River.

Witness my hand this 11 day of March, 19 74

R. Keith Hays  
Director ~~State Reclamation Engineer~~  
Idaho Dept. of Water Administration

**FOR DEPARTMENT USE ONLY**

|                                        |                                 |                        |      |
|----------------------------------------|---------------------------------|------------------------|------|
| Received by <u>MB</u>                  | Date <u>2-4-74</u>              | Protest filed by:      | Date |
| Prelim. check by <u>NCY</u>            | Date <u>2-4-74</u>              |                        |      |
| Fee received by <u>MB</u>              | Date <u>2/4/74</u>              | Fee \$ <u>30.00</u>    |      |
|                                        |                                 | Receipt # <u>12727</u> |      |
| Approved for publication by <u>CB</u>  | Date <u>2/25/74</u>             |                        |      |
| Published in <u>Idaho Valley Times</u> | Dates <u>Feb. 14 + 21, 1974</u> |                        |      |
| Hearing held                           |                                 |                        |      |
| Watermaster Recommendation sent        | <u>W.D #01 Dist Luron</u>       | <u>2/5/74</u>          |      |

TO RON CARLSON:

To confirm our conversation the other day, since all of our water rights pertaining to the four diversions under Teton Pipeline Assoc. are being placed in the new canal company in Teton Pipeline Associations name; on behalf of Bickmore Living Trust I hereby withdraw the pending transfer filed in their name.

  
Jack Hoopes.

RECEIVED

FEB 04 2004

Department of Water Resources  
Eastern Region



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

January 07, 2004

BICKMORE LIVING TRUST  
1077 W HWY 33  
NEWDALE ID 83436

RE: Application for Transfer No 70753  
Water Right No(s) 22-7110A

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Teton Valley News on January 15 and 22, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

  
W Roger Warner  
Water Rights Supervisor

WRW:sc

## STATE OF IDAHO

Transfer No. 70753

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 CELL - 312

## PART 1

CELL - 313-2800 Hoopes

JUL 18 2003

Department of Water Resources  
Bureau of Land Management  
Eastern Region

Bickmore Living Trust

Phone 456-2801

Post Office address 1077 W. Hwy 33 Newdale, ID 83436

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

- 2. Describe the reason for the proposed changes**

Placing the entire farm under

Describe the reason for the proposed changes  
the Clementsville Pipeline, whereas before half was

under Boelke result in moving point of diversion.

under Boelke result in moving point of diversion  
downstream 1/2 mile. update pon / New pump in Teton River

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

- | 1. Right Number                            | Priority   | Amount<br>(cfs/ac-ft)    | Nature<br>of Use             | Period of Use            |
|--------------------------------------------|------------|--------------------------|------------------------------|--------------------------|
| 22-7110(A)                                 | 10-15-1974 | 5.12                     | irrigation                   | 4-15 to 11-01            |
|                                            |            | 2.529                    |                              | to                       |
|                                            |            |                          |                              | to                       |
|                                            |            | 2.529                    |                              | to                       |
|                                            |            |                          |                              | to                       |
| 2. Total amount of water being transferred |            | 5.12                     | cubic feet per second and/or | 1824 acre-feet per annum |
| 3. Source of water                         |            | Teton River tributary to |                              |                          |
| 4. Point(s) of Diversion:                  |            |                          |                              |                          |

| 4. Point(s) of Diversion: |   |          |   |      |      |      |                        |
|---------------------------|---|----------|---|------|------|------|------------------------|
| Lot                       | ¼ | ¼        | ¼ | Sec. | Twp. | Rge. | County                 |
|                           |   | SE 1st   |   | 3    | 6    | 44   | Teton                  |
|                           |   | NW SE 04 |   |      |      |      | Clementsville Pipeline |
|                           |   |          |   |      |      |      |                        |
|                           |   |          |   |      |      |      |                        |
|                           |   |          |   |      |      |      |                        |

5. Land irrigated or place of use:

[illegible]

170753

**AUG 15 2003** Total Acres 300

6. General Information:

a. Description of diversion system Clementsville Pipeline to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
n/a

d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_  
And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

SCANNED  
AUG 15 2003

70753

**PART 3**

**B. CHANGES IN NATURE OF USE**

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3. Describe effects on other water uses resulting from the proposed change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

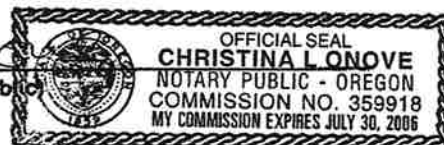
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Patricia S. Bickmore  
(Signature of Applicant)

Subscribed and sworn to before me this 17th day of July, 192003

Christina L. Onove  
(Notary Public)



My commission expires 07-30-06

**FOR DEPARTMENT USE ONLY**

Transfer contains 5 pages and 3 attachments

Received by \_\_\_\_\_ Date \_\_\_\_\_ Protest filed by \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Fee \$ 450 -

Receipted by JC Date 7-18-03 E029011

Published in Teton Valley News (Thurs) Copies of protest forwarded by \_\_\_\_\_

Pub. dates Jan. 15 & 22 2004. Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

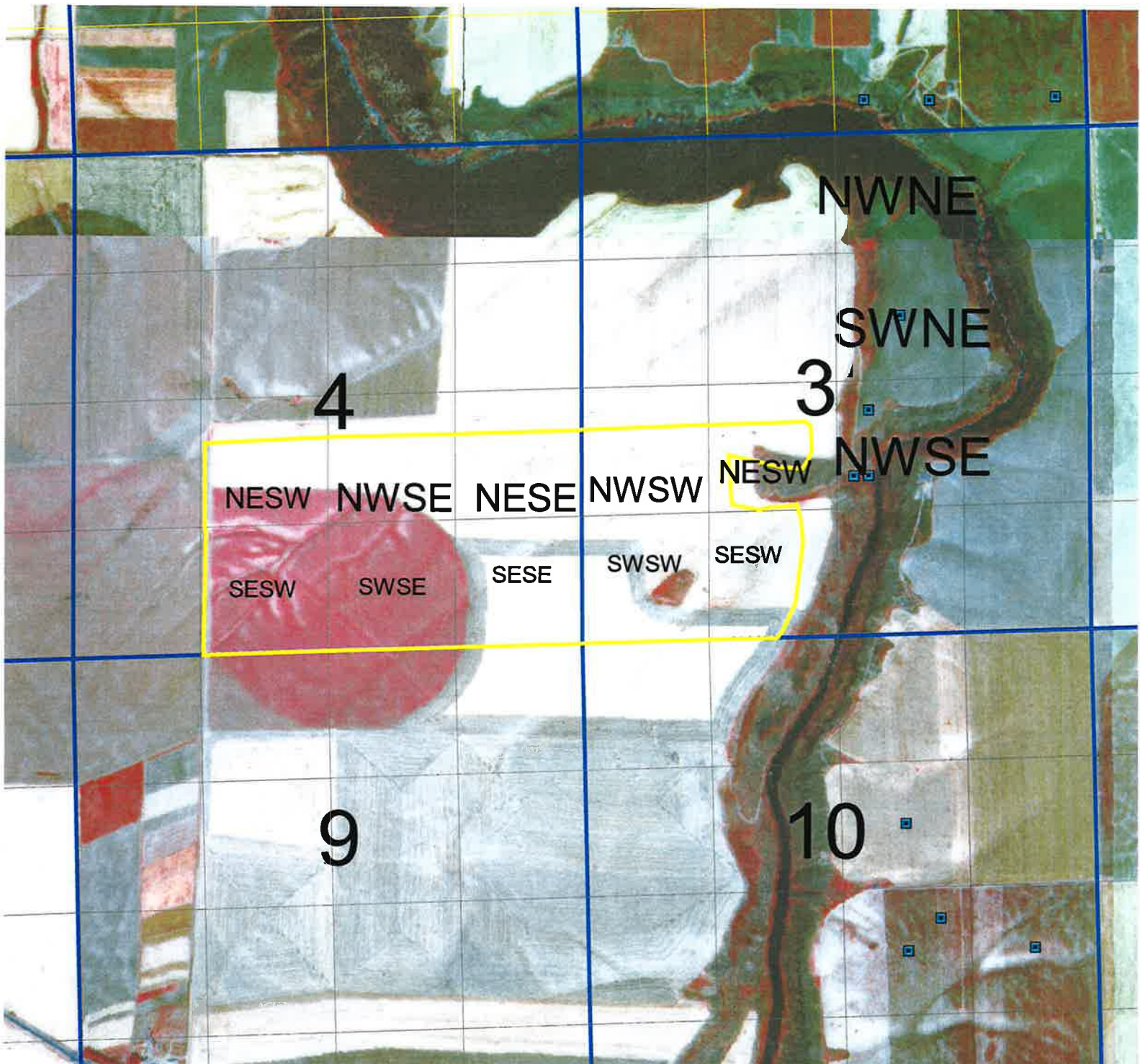
\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

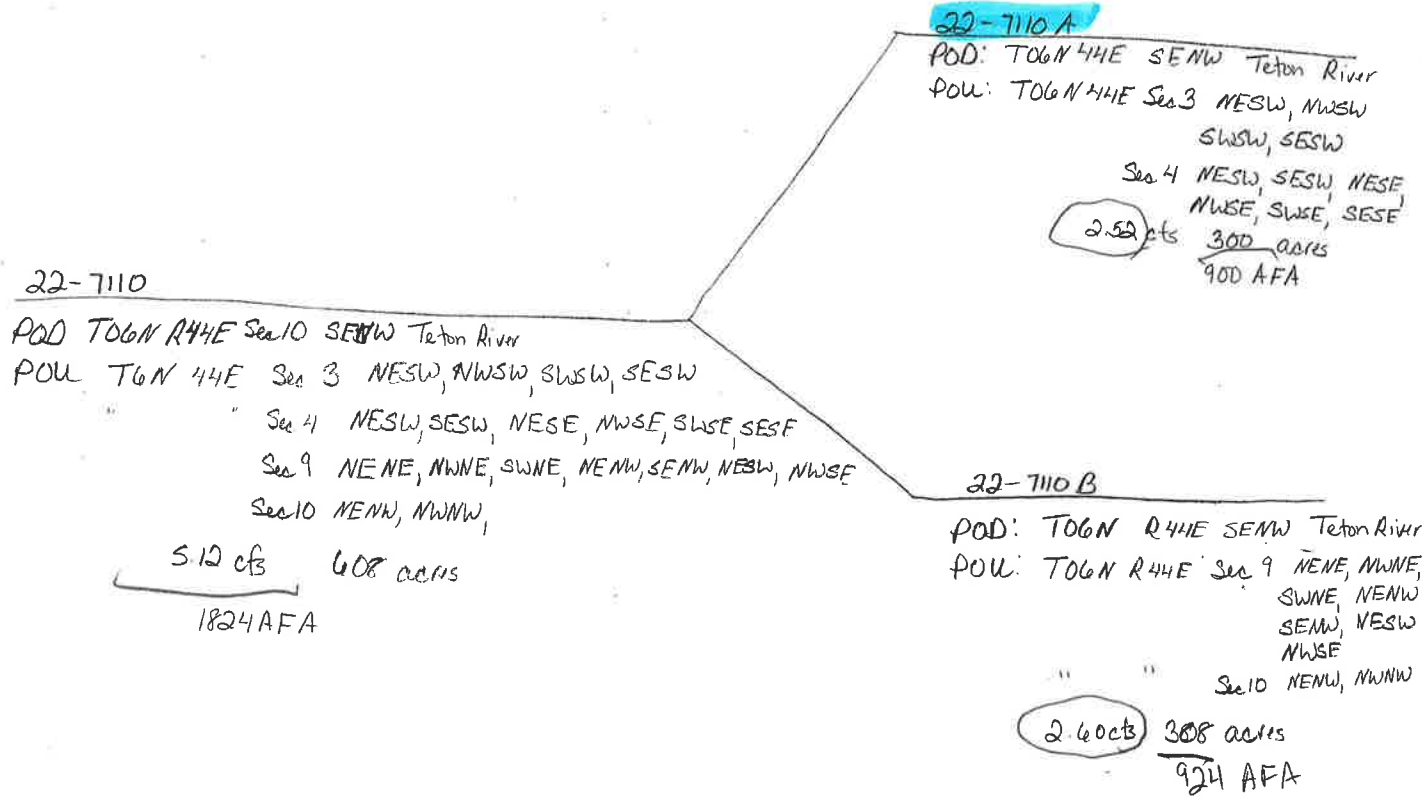
SCANNED  
AUG 15 2003

170753

# 22-7110A



Water Right and SRBA Split History Analysis  
for 22-7110



EQ 5<sup>12</sup> 608 ac

Date:

Reviewer:

mydoc/fieldexamforms/splithistory

WD #01

State of Idaho  
Department of Water Resources

RECEIVED  
MAR 2 1978  
Department of Water Resources  
Eastern District Office

WATER RIGHT LICENSE

License of Water Right No. 22-7110 Priority October 15, 1974 Amount 5.12 cfs

THIS IS TO CERTIFY, that EHCO RANCHES &/OR MRS. E. G. BICKMORE  
of Rexburg, Idaho, has complied with the terms and conditions of Permit  
No. 22-7110 issued pursuant to Application for Permit dated October 15, 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 5.12 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     |
|----------------|--------------------------------------|------------------------|-------------------|
| Irrigation     | from <u>Apr. 15</u> to <u>Nov. 1</u> | at <u>5.12</u> cfs and | <u>1824</u> ac ft |
|                | from _____ to _____                  | at _____ cfs and       | _____             |
|                | from _____ to _____                  | at _____ cfs and       | _____             |

(both dates inclusive)

Subject, however, to the condition that no more than 5.12 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  
1824 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 10, 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   | 3    |                  |                  |                  |                  |                  |                  |                  |                  | 18               | 26               | 40               | 36               |                  |                  |                  |                  | 120    |
|      |       | 4    |                  |                  |                  |                  |                  |                  |                  |                  | 17               |                  |                  | 31               | 26               | 26               | 40               | 40               | 180    |
|      |       | 9    | 40               | 40               | 40               |                  | 32               |                  |                  | 34               | 33               |                  |                  |                  |                  | 33               |                  |                  | 252    |
|      |       | 10   |                  |                  |                  |                  | 16               | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 56     |

Total number of acres irrigated 608

A measuring device of a type approved by the Department shall be permanently  
maintained as 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 23 day of

FEBRUARY, 19 78

  
Director

RECEIVED

FEB 19 2004

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources  
Eastern Region

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<br>Right<br>No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|--------------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                          | 22-7110A                     |       |                       |                              |       |
|                          |                              |       |                       |                              |       |
|                          |                              |       |                       |                              |       |
|                          |                              |       |                       |                              |       |
|                          |                              |       |                       |                              |       |

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
- Bickmore Living Trust.
- 1077 W. Hwy. 33, Newdale, ID 83436
4. New Owner/Claimant(s)
- Teton Pipeline Association, Inc.
- Name connector (check one): ☐ and ☐ or, ☐ and/or
- New Mailing Address
- P.O. Box 272
- City, State and ZIP Code
- Tetonia, ID 83452
- New Telephone Number
- 456-2567 or 456-2801
5. Date you acquired the property
- January 27, 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT                                |                                                |                                                |
|---------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------|
| (If the right(s) will not be split, skip this area and proceed to item 7) |                                                |                                                |
| Water Right and/or Adjudication Claim Number _____                        |                                                |                                                |
| Water Use                                                                 | Diversion Rate or Volume                       | Description                                    |
|                                                                           | (cubic feet per second or acre-feet per annum) | (acres, number and type of stock, homes, etc.) |
| Irrigation                                                                | _____                                          | _____                                          |
| Stock                                                                     | _____                                          | _____                                          |
| Domestic                                                                  | _____                                          | _____                                          |
| Other _____                                                               | _____                                          | _____                                          |
| <b>TOTAL</b>                                                              | _____                                          | _____                                          |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT                                |                                                |                                                |
|---------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------|
| (If the right(s) will not be split, skip this area and proceed to item 7) |                                                |                                                |
| Water Right and/or Adjudication Claim Number _____                        |                                                |                                                |
| Water Use                                                                 | Diversion Rate or Volume                       | Description                                    |
|                                                                           | (cubic feet per second or acre-feet per annum) | (acres, number and type of stock, homes, etc.) |
| Irrigation                                                                | _____                                          | _____                                          |
| Stock                                                                     | _____                                          | _____                                          |
| Domestic                                                                  | _____                                          | _____                                          |
| Other _____                                                               | _____                                          | _____                                          |
| <b>TOTAL</b>                                                              | _____                                          | _____                                          |

7. Signature of New Owner(s) Or Claimant(s) Mark R Riiks Pres.  
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

|                            |            |                   |            |
|----------------------------|------------|-------------------|------------|
| <b>For Office Use Only</b> |            |                   |            |
| Received by _____          | Date _____ | Fee _____         |            |
| Receipted by _____         | Date _____ | Receipt No. _____ |            |
| Processed by _____         | Date _____ | WR _____          | Date _____ |

RECEIVED

FEB 12 2004

TETON CO., ID  
CLERK RECORDER

159831

QUITCLAIM DEED  
FOR  
WATER RIGHTS

THIS INDENTURE is made this 27 day of January, 2004, between Jack Hoopes as attorney in fact for Patricia Bickmore, Trustee of the Bickmore Living Trust, referred to herein as the "GRANTOR" and Teton Pipeline Association, Inc., whose mailing address is P.O. Box 272, Teton, Idaho 83452, referred to herein as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an 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 the 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:

| <u>Water Right No.</u> | <u>Amount</u> | <u>Source</u> | <u>Priority Date</u> |
|------------------------|---------------|---------------|----------------------|
| 22-7110A               | 2.52 cfs      | Teton River   | Oct. 15, 1974        |

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise 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.

Instrument # 159831

DRIGGS, TETON, IDAHO

2004-02-12

12:05:56 No. of Pages: 2

Recorded for : HOLDEN, KIDWELL, HAHN, & CRAPO

NOLAN G. BOYLE

Fee: 6.00

Ex-Officio Recorder Deputy R. Busich

Index to: DEED. QUIT-CLAIM

159831

Bickmore Living Trust

By: [Signature]  
Jack Hoopes, attorney in fact for Patricia Bickmore, Trustee of the Bickmore Living Trust

STATE OF IDAHO                    )  
                                                  )ss.  
County of Bonneville            )

On this 27<sup>th</sup> day of January, 2004, before me a notary public in and for the said State, personally appeared Jack Hoopes, known or identified to me (or proved to me on the oath of Jack Hoopes) to be the attorney in fact for Patricia Bickmore, Trustee of the Living Trust that executed the instrument or the person who executed the instrument on behalf of said trust, and acknowledged to me that such trust 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.



[Signature]  
Notary Public for Idaho  
Residing at Idaho Falls  
My commission expires: 27 July 2009

G:\WPD\7 AUGUST 2004\27 SMITH BOON\11499.001 Hoopes-Ehco Ranch\Teton Pipeline Assoc\Quitclaim Deeds\Bickmore Trust Quitclaim Deed.cdv

**RECEIVED**

FEB 12 2004

159830

TETON CO., ID  
CLERK RECORDER**LIMITED POWER OF ATTORNEY**

STATE OF ARIZONA

COUNTY OF PIMA

Know all men by these presents, that I, Patricia Bickmore, the undersigned, 635 S. Centre Ave # 2124 Green Valley AZ do hereby make, constitute and appoint Jack C Hoopes, of 1077 Hwy 33, Newdale, Idaho 83436, my true and lawful attorney in fact for me and in my name place and stead, giving unto said Jack Hoopes power to do and perform all and every act, and every proper power that I may legally do through an attorney in fact, necessary to carry out acts regarding to Water Rights located in Teton County Idaho, and signatures required by the Farm Service Agency regarding property I have an interest in through my self or Bickmore Survivors Trust, the purpose for which this power is granted, with full power of revocation, hereby ratifying and affirming that which Jack C Hoopes shall lawfully do or cause to be done by himself by virtue of the power herein conferred upon him.

Dated 2-2-04Patricia Bickmore

Patricia Bickmore

STATE OF ARIZONA )  
 ) SS

COUNTY OF PIMA

On this 2nd day of February before me a notary public in and for said State, personally appeared PATRICIA BICKMORE, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Robert W Irwin  
Notary Public for ArizonaResiding at Green Valley, Az. 85614

My Commission expires



Notary Public State of Arizona

Pima County

Robert W Irwin

Expires August 23, 2005

**Instrument # 159830**

DRIGGS, TETON, IDAHO

2004-02-12

12:04:39 No. of Pages: 1

Recorded for : HOLDEN KIDWELL HAHN &amp; CRAPO

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy RB

Index to: POWER OF ATTORNEY, LIMITED

159830

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 22-7110A  
Date Received: 8/7/2003  
Receipt No: EO  
Received By: oe

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

A2207110A



1. Name of Claimant(s)

BICKMORE LIVING TRUST Phone: (208)456-2801

1077 W HWY 33  
NEWDALE ID USA 83436

2. Date of Priority: 10/15/1974

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 06N      | 44E   | 10      | SE NW                 | TETON  |      |

5. Description of diverting works:

pump to sprinklers

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 11/01 | 2.52   |            |

7. Total Quantity Appropriated is:  
2.52 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 |
|----------|-------|---------|----------------|------------|-------|
| 06N      | 44E   | 3       | NW SW          | IRRIGATION | 27    |
|          |       |         | SW SW          | IRRIGATION | 40    |
|          |       |         | SE SW          | IRRIGATION | 27    |

|     |     |   |    |    |               |     |
|-----|-----|---|----|----|---------------|-----|
|     |     |   | NE | SW | IRRIGATION    | 13  |
|     |     |   |    |    | Section Acres | 107 |
| 06N | 44E | 4 | NE | SW | IRRIGATION    | 25  |
|     |     |   | SE | SW | IRRIGATION    | 38  |
|     |     |   | SW | SE | IRRIGATION    | 40  |
|     |     |   | SE | SE | IRRIGATION    | 40  |
|     |     |   | NW | SE | IRRIGATION    | 25  |
|     |     |   | NE | SE | IRRIGATION    | 25  |
|     |     |   |    |    | Section Acres | 193 |
|     |     |   |    |    | Total Acres   | 300 |

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:

15. Basis of Claim: License

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.

