

09/25/2006

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

RIGHT NUMBER: 22-7116

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: 10.000 CFS
2,576.00 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: 12/03/1974

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	10.000 CFS 2,576.00 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 736 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

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

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.

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 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.

State of Idaho
Department of Water Resources

RECEIVED
SEP 19 1997
Department of Water Resources
Eastern Region

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07116

Priority: December 3, 1974

Maximum Diversion Rate: 10.00 CFS

Maximum Diversion Volume: 2576.0 AF

This is to certify, that TETON PIPELINE ASSN INC
PO BOX 272

TETONIA ID 83452 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 3, 1974; and
has submitted Proof of Beneficial Use on December 27, 1979. An examination indicates
that the works have a diversion capacity of 15.360 cfs of water from:

TETON RIVER tributary to HENRYS FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	10.00 CFS	2576.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 15, Township 06N, Range 44E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
06N	44E	6	Lot 6(NWSW)	2	Lot 7(SWSW)	30	SESW	15	47
		7	NENW	38	Lot 1(NWNW)	15			53
		8	SWNE	38	SENE	36	NESE	34	
			NWSE	25	SWSE	23	SESE	25	181
		17	NENE	20	NWNE	40	SWNE	32	
			SENE	28	NESW	40	NWSW	35	
			SWSW	36	SESW	40	NESE	36	
			NWSE	22					329
		18	NESE	40	NWSE	38	SWSE	18	
			SESE	30					126

Total number of acres irrigated: 736

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07116

CONDITIONS OF APPROVAL AND REMARKS

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
7. Totalizing measuring devices shall be maintained at all points of diversion.
8. The maximum combined rate of diversion under this right and all other rights diverting from the South Pipe Project shall not exceed 15.36 cfs.
9. A total of six pumps are used in the diversion of water under this right.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 16TH day of SEPTEMBER, 19 92.


Acting for KARL J. DREHER, Director

FIELD REPORT

- TOTAL ACREAGE** 800

DATE OF EXAM 7/26/79

ACREAGE
Found 736 Ac
Recommended 736 Ac

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 5.12 c.f.s. V = 1858.5 AF/Ann. from April 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 X

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

Exchange? yes _____ no X

Name source exchanged with: n/a
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 15.36 cfs Max. of South Project Method of measurement anubar
80' high tree made v

Total Q recommended 5.12 cfs Meter No. 19.25" Type Anubar Condition Std.

Total V recommended 1858.5 cfs

Recommended Amendments:

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

MEASUREMENT CALCULATION:

see Attachment App. over 33.3% of South Project = 5.12 cfs

SYSTEM DESCRIPTION:

see Attachment System plus master system
lands irrigated by subd. and landline.

736 Ac x 3.0 AF/Ac = 2208 AF/Ann. 5.12 cfs x 1.9835 cfs/AF/day x 183 d/yr = 1858.5 AF/Ann

REMARKS:

System shown by Mrs. Arch

DIVERSION THRU SOUTH PROJECT

Examiner's Signature John D. Carlson Date 8/7/80

Checked by Keith C. Wilson Date 22 May 1986 4 Nov 86

Approved by Kyanna McCarthy Date 7/7/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7116
Permit No.

Overlap Review

- a) Other water rights with same place of use: 22-7235 (GROUNDWATER)
- b) Other water rights with same point of diversion: 22-0288D/0351/0551B/0552B/0553B/7044B
7100/7120/7159/7180/7208/7209/7235
- c) Analysis: R01
R04

This right limited by 33.3% ownership in South Project

$$\therefore Q = (15.36 \text{ cfs})(.333) = 5.12 \text{ cfs}$$

$$R17 (22-7235)(5.12 \text{ cfs})(1858.5 \text{ afy})$$

Regional Office by

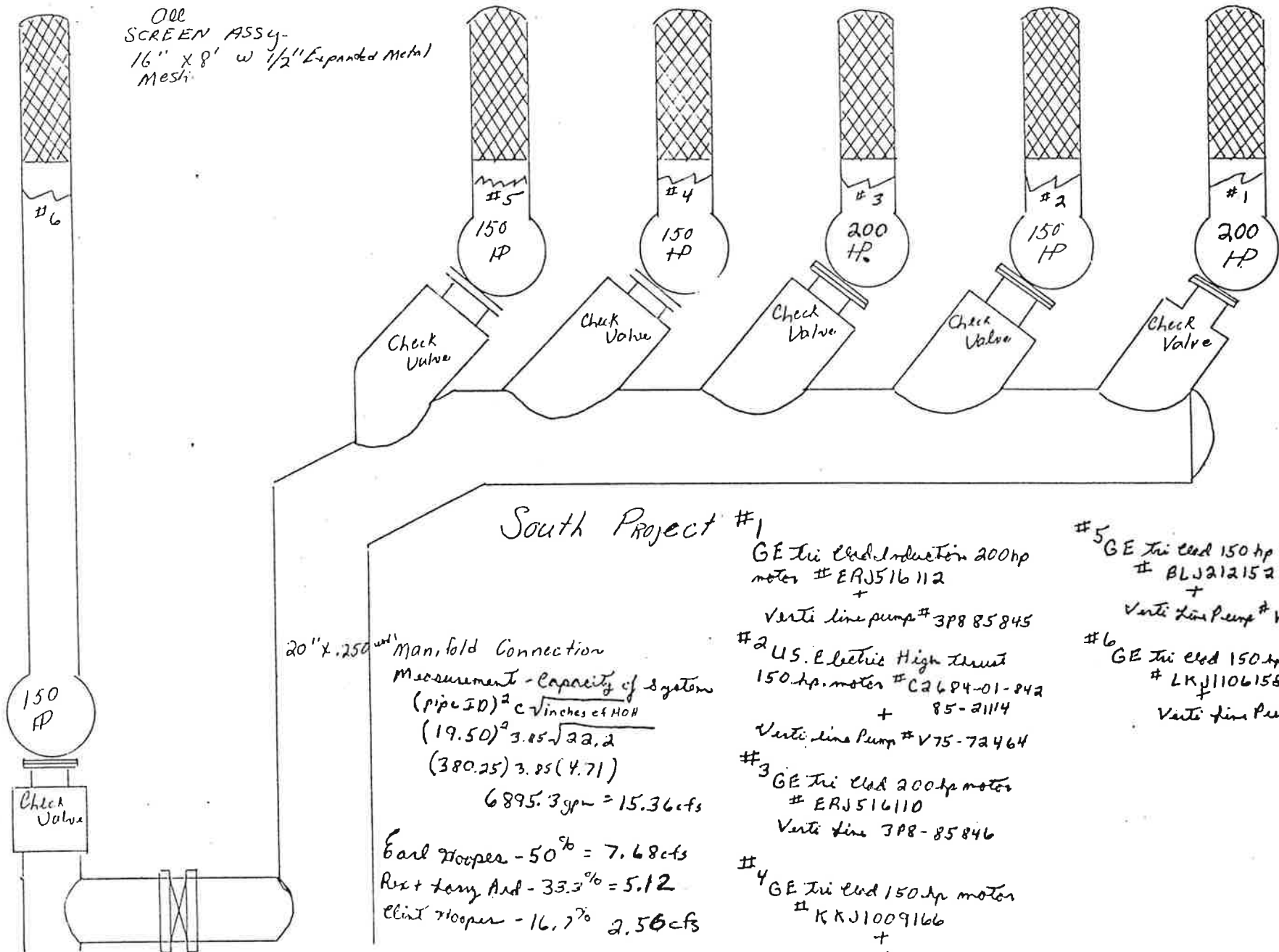
Keith C. Wilson

Date

4 Nov 1986

Point of diversion
SE SE Sec 15.
T6N R44E0M.

000
SCREEN ASSY-
16" x 8' w 1/2" Expanded Metal
Mesh



South Project #1

20" x .250" Manifold Connection
Measurement - Capacity of System
(pipe ID) $2 \sqrt{\text{inches of H}_2\text{O}}$
 $(19.50)^2 3.85 \sqrt{22.2}$
 $(380.25) 3.85 (4.71)$
 $6895.3 \text{ gpm} = 15.36 \text{ cfs}$

Earl Hooper - 50% = 7.68 cfs
Rox + Larry Ard - 33.3% = 5.12
Clint Hooper - 16.7% = 2.56 cfs

GE Tri-Clad Induction 200hp
motor # EAJ516112

+
Verti line pump # 3P8 85845

#2 U.S. Electric High Thrust
150hp. motor # C2684-01-242
+ 85-21114

Verti line Pump # V75-72464

#3 GE Tri-Clad 200hp motor
EAJ516110

Verti line 3P8-85846

#4 GE Tri-Clad 150hp motor
KKA1009166

+
" " " "

#5 GE Tri-Clad 150hp motor
BLJ212152

+
Verti line Pump # V75-72463

#6 GE Tri-Clad 150hp motor
LKJ1106158

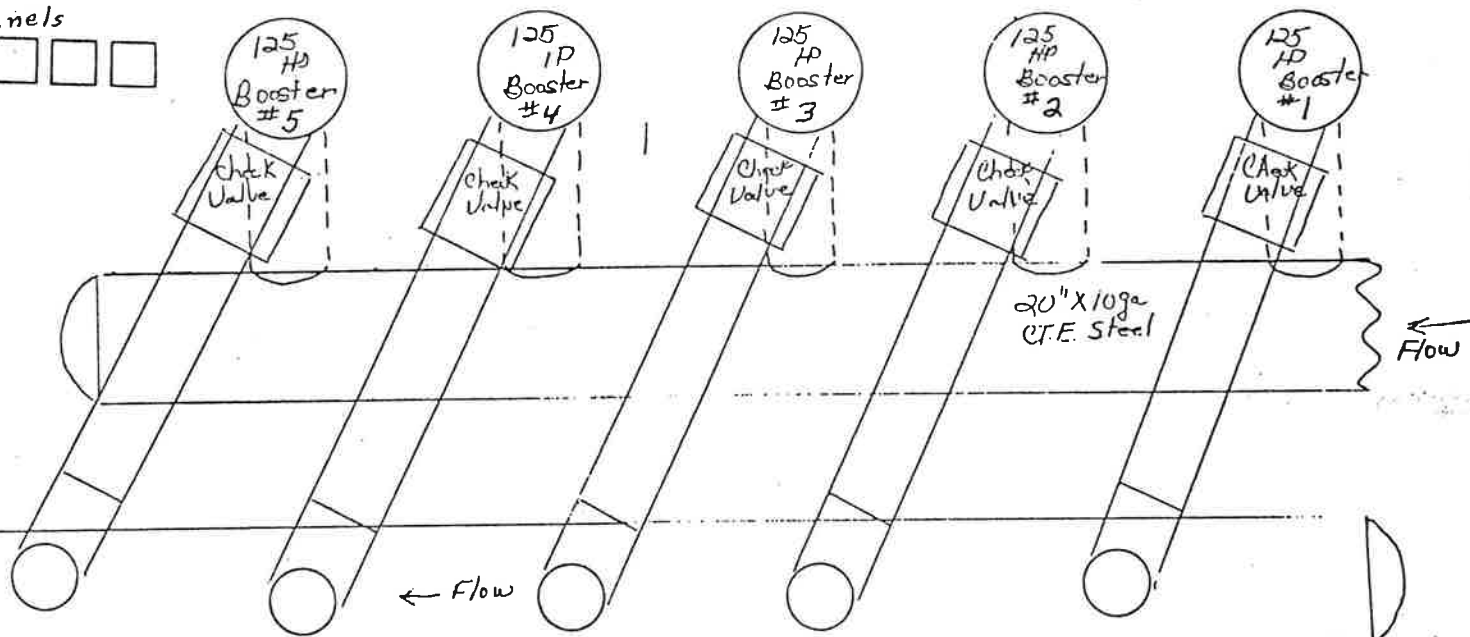
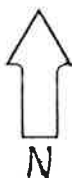
Verti line Pump

22-7116

SW SW Sec 16
T6N R44E

22-7116

Panels
□ □ □ □ □



South Project

BOOSTER STATION - ..

EARL HOOPES - CLINT HOOPES - REX + LARRY AND

#1.
GE Tri Cled Induction
125 hp motor # GLJ730108
+
Aurora Verti line Pump
V75-72461

#3
GE Tri Cled Induction
125 hp. motor # GLJ730107
+
Aurora Verti line Pump
V75-72483

#5
GE Tri Cled Induction
125 hp. motor # GLJ730106
+
Aurora verti line Pump
V75-72462

#2. G.E. Tri Cled Induction
125 hp. motor # GLJ730109
+
Verti line Pump
V75-72461

#4
GE Tri Cled Induction
125 hp motor # no number
+
Aurora Verti line Pump
V75-72462

Township
06N

Range
44E

Section
8, 17, 18



Notes:

Water Right #: 2207116

Examiner

Date:



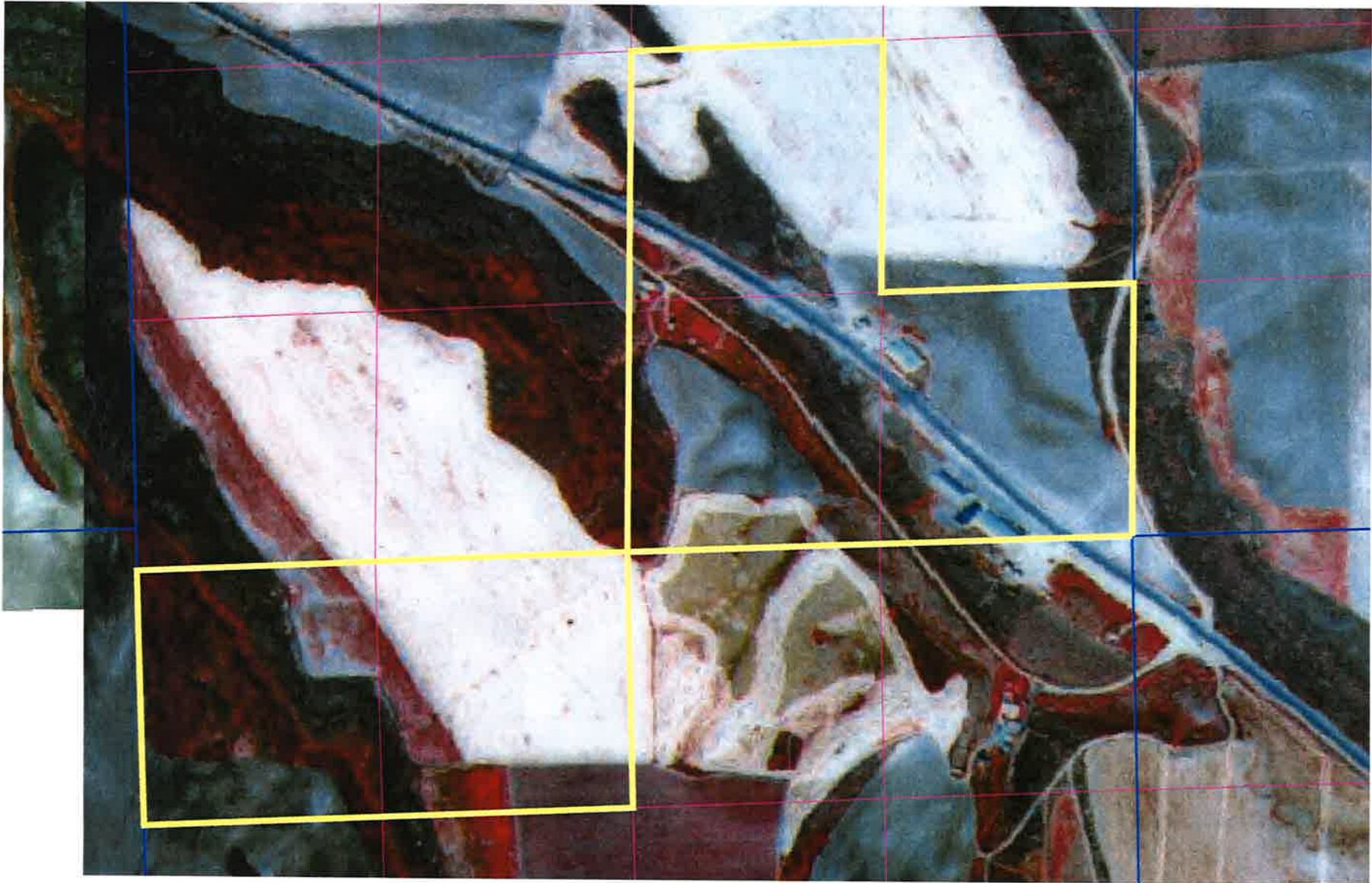
700 0 700 1400 2100 2800 3500 Feet



Township
06N

Range
44E

Section
6, 7



Notes:



300 0 300 600 900 1200 1500 Feet



Water Right #: 2207116

Examiner

Date:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-07116

Date Received: 7/27/1988

Receipt No: 500 2906

Received By: Jo

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY ARD 208-356-4721
Address: 335 E. 1ST N.
REXBURG, ID 83440

2. Date of Priority: DEC 03, 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
06N	44E	15	SE	SE			TETON

5. Description of diverting works:

DIVERTED AT TETON PIPELINE , SOUTH PROJECT-PUMPS IN RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	5.120		

7. Total Quantity Appropriated is:

5.120 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 1472.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	6	NW	SW	6	IRR	2.0
			SW	SW	7	IRR	30.0
			SE	SW		IRR	15.0

Section Acres 47.0

A22-07116

Page

1

Date: 07/27/88



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	7	NE	NW		IRR	38.0
			NW	NW	1	IRR	15.0
					Section Acres		53.0
		8	SW	NE		IRR	38.0
			SE	NE		IRR	36.0
			NE	SE		IRR	34.0
			NW	SE		IRR	25.0
			SW	SE		IRR	23.0
			SE	SE		IRR	25.0
					Section Acres		181.0
		17	NE	NE		IRR	20.0
			NW	NE		IRR	40.0
			SW	NE		IRR	32.0
			SE	NE		IRR	28.0
			NE	SW		IRR	40.0
			NW	SW		IRR	35.0
			SW	SW		IRR	36.0
			SE	SW		IRR	40.0
			NE	SE		IRR	36.0
			NW	SE		IRR	22.0
					Section Acres		329.0
		18	NE	SE		IRR	40.0
			NW	SE		IRR	38.0
			SW	SE		IRR	18.0
			SE	SE		IRR	30.0
					Section Acres		126.0
					Total Acres		736.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A22-07235

14. Remarks:
DIVERTED AT TETON PIPELINE, SOUTH PROJECT AS IS A227235

A22-07116

Page

2

Date: 07/27/88

RECORDED

OCT 29 1992

15. Basis of Claim: PERMIT
Water Right Number: 227116

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Larry And Date: 10/5/88

Date: _____

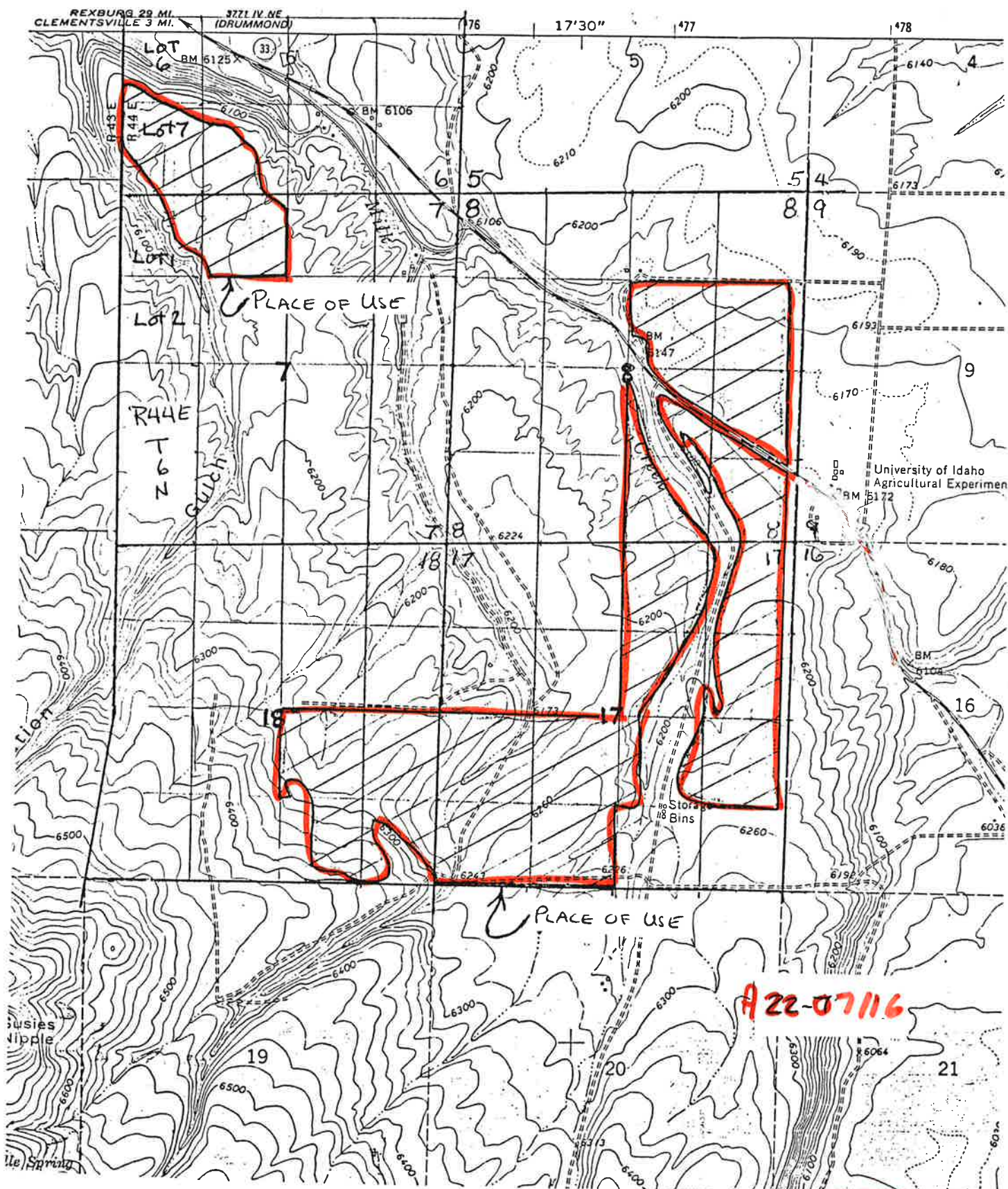
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of Oct 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94



A22-07116

REPRODUCED

OCT 29 1992