

09/25/2006

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

RIGHT NUMBER: 22-7119

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: 6.000 CFS
1,631.00 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: 12/10/1974

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	6.000 CFS 1,631.00 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 466 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

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.

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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07119

Priority: December 10, 1974

Maximum Diversion Rate:

6.00 CFS

Maximum Diversion Volume:

1631.0 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 10, 1974; and
has submitted Proof of Beneficial Use on September 20, 1976. An examination indicates
that the works have a diversion capacity of 28.700 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	6.00 CFS	1631.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 3, Township 06N, Range 44E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 44E 32	NWNE 39	SWNE 39	NENW 39	
	NWNW 39	SWNW 39	SENW 40	
	NESW 40	NWSW 38	SWSW 37	
	SESW 39	NWSE 39	SWSE 38	466

Total number of acres irrigated: 466

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.
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.

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State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07119

CONDITIONS OF APPROVAL AND REMARKS

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. Water is diverted from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.
8. Totalizing measuring devices shall be maintained at all points of diversion.
9. The maximum combined rate of diversion under this right and all other rights diverting from the North 1 Project shall not exceed 28.7 cfs.
10. 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, 1997.


Acting for KARL J. DREHER, Director

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FIELD REPORT

SEP 24 1976 456-2032

Department Phone Resources
Eastern District Office

Person to contact _____ Phone _____

Teton River

Henry's Fork (name spring, stream, etc.)

Amount 6.00 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from May 1 to Sept. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Max Rate of Diversion 6.00 cubic feet per second and annual volume _____ AF/Annum.

Township 6N N/S, Range 44E E/W, B.M., Section 3, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$ Teton
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Other Points of Diversions: _____

Description of diverting works: 5 elec. pumps and motors with mainline from river to farm
300 hp to 500 hp motors,

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **480**

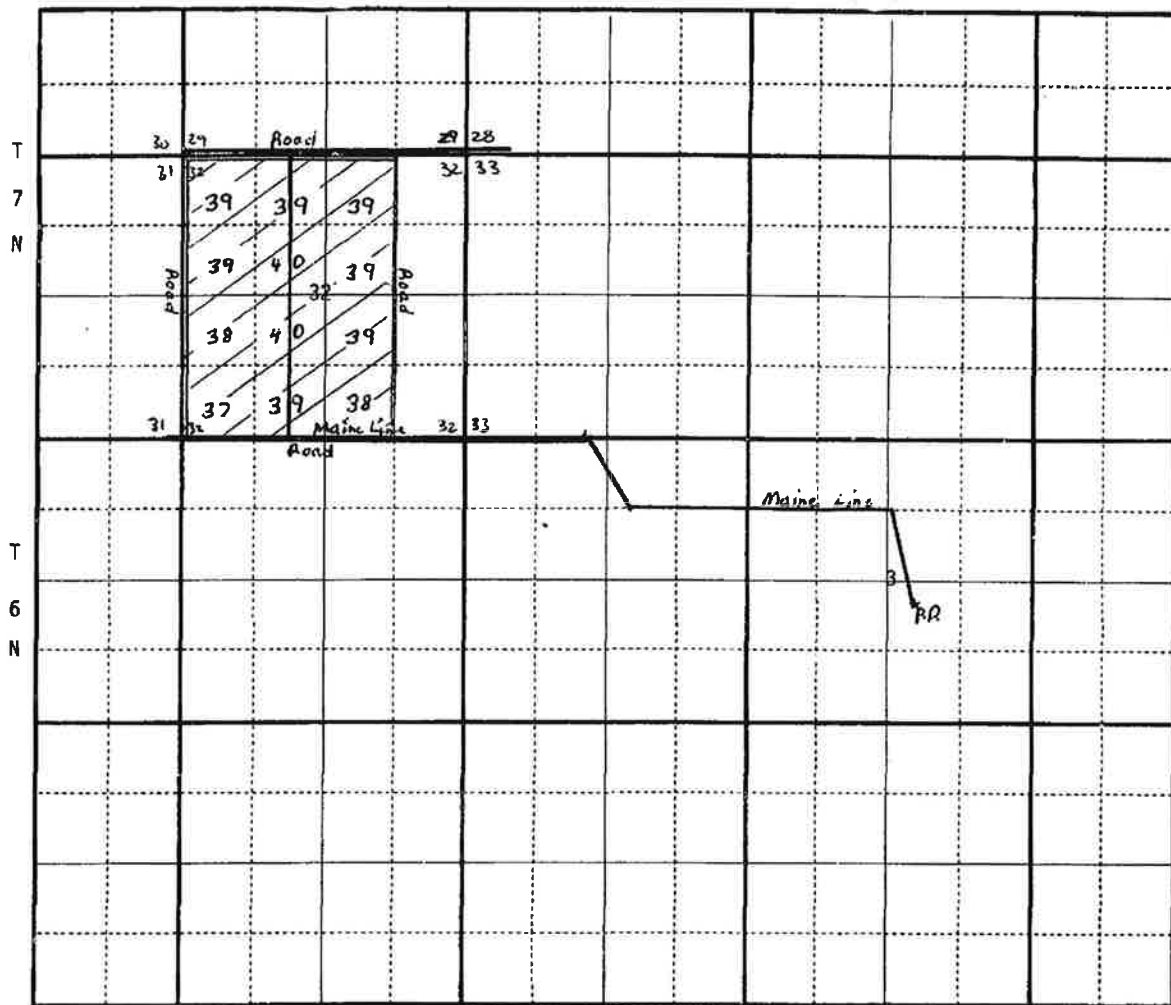


Diagram of System

See Attached diagram

DATE OF EXAM 6/18/79

ACREAGE
Found 466 Ac
Recommended 466 Ac

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 3.44 c.f.s. V = 934.8 AF/Ann. from May 1 to Sept 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 28.7 cfs ^{Total quantity measured North Project #1} Method of measurement Anubar

Total Q recommended 3.44 cfs ^{12% of system} Meter No. 80" Type Eagle Eye Condition Std

Total V recommended 934.8 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

See attachment

$$V = 466 \text{ Ac} \times 3.0 \text{ AF/Ft/Ac} = 1398 \text{ AF/Ann.}$$
$$3.44 \text{ cfs} \times 1.9835 \text{ cfs/AF/dy} \times 137 \text{ days} = 934.8 \text{ AF/Ann.}$$
$$12\% \times 10417.5 \text{ AFA} = 1250.1 \text{ AFA/Ann.}$$

SYSTEM DESCRIPTION:

See attachment

Lands irrigated by 9-laterals 49 nozzles each 7/64"

REMARKS:

System shown and described by Glen Nelson

Examiner's Signature John D. Carlson

Date 4/24/80

Checked by Keith C Wilson

Date 27 May 1986

Approved by Shiranne McCarthy

Date 7/7/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7119

Permit No.

Overlap Review

- a) Other water rights with same place of use: Permit 22-7221
- b) Other water rights with same point of diversion: 22-0145 A / 02218 / 0245 B / 7108 / 7111 / 7121 / 7122 / 7148 / 7157 / 7186 / and Redivision for Groundwater 22-7208 / 7211 / 7216 / 7225 / 7295 / 7360 / 7375.
- c) Analysis:

DIVERSION THRU NORTH PROJECT #1 CLEMENTVILLE PIPELINE Q LIMITED
By 12% of Total Q = $(0.12)(28.7 \text{ cfs}) = 3.44 \text{ cfs}$

R01

R04

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Regional Office by

Keith C. Wilson

Date

27 May 1986

22-7119

Clematville Pip.
North Project #1

Point of Diversion
N. SE. 823
TLN R44E

pump #1

G.E. Tri Clad Induction Motor 500hp.
Ser. # HKJ821022
+
Aurora Verti line pump.
V75-724410

pump #2

G.E. Tri-Clad 500hp. motor
Ser. # C1J312014
+
Aurora Verti Line pump.
V75-72441A

pump #3

GE Tri Clad 500hp. motor
Ser. # JMJ922021
+
Aurora Verti Line pump.
V75724410

pump #4

GE Tri Clad 500hp. motor
Ser. # HKJ821021
+
Aurora Verti line pump
V75-72441B

pump #5

GE Tri Clad 300hp motor
Ser. # KLS1001120
+
Aurora Verti line Pump
V75-72442

pump #6

G.E. Tri-Clad 200hp Motor
Ser. # BMJ225130
+
Aurora Verti line pump
V76-70641

Measurement - Capacity of system.

Annubar 23.25"

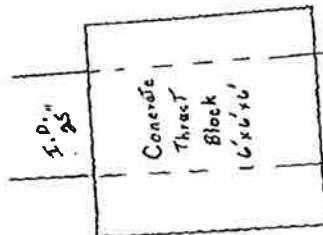
Eagle Eye meter 80"

(pipe ID)² 2 inches of HOH

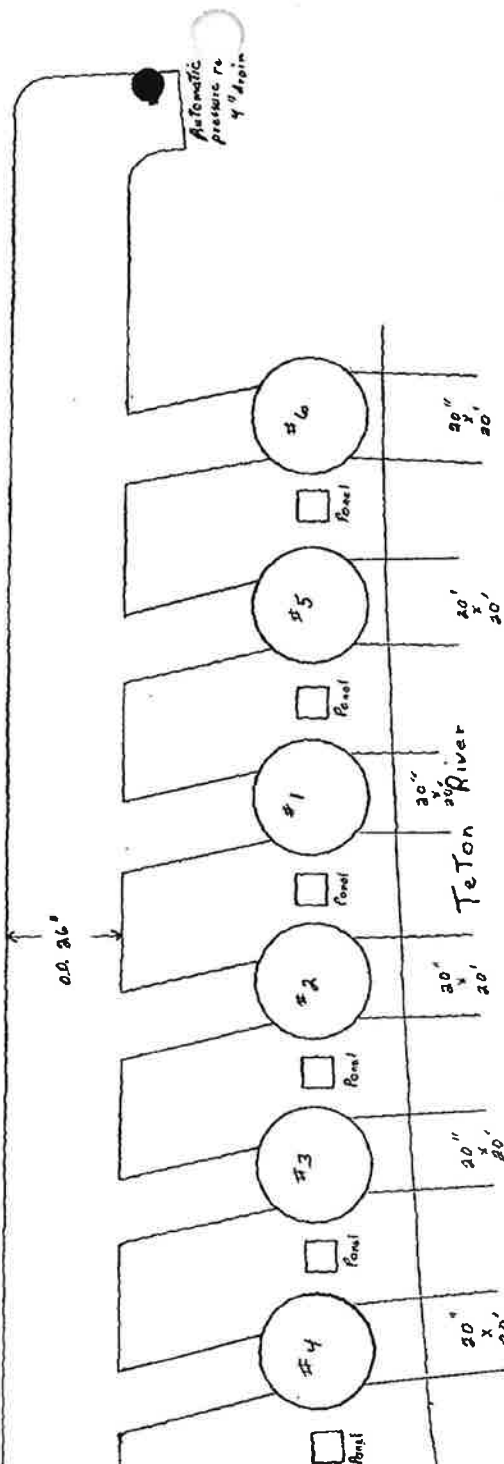
(25.250)² 3.85 + 27.5'

(637.56) 3.85 (5.24)

12862 gpm = 28.7 cfs



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OCT 21 1987



Individuals Involved

Max Merrill Ramnall - 20% = 5.74 cfs

Clinton Hoopes - 20% = 5.74 cfs

Darrell Ron Ard - 8% = 2.30 cfs

Glen Nelson - 12% = 3.44 cfs

Demarr Bott - 20% = 5.74 cfs

Ed Parkinson - 20% = 5.74 cfs

22-7119

22-7119



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: A22-07119
Date Received: 10/06/1988
Receipt No: E002949
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN D. NELSON 208-456-2832
Address: HC 60 BOX 1209
NEWDALE, ID 83436
OR
Name: BONNIE S. NELSON 208-456-2832
Address: HC 60 BOX 1209
NEWDALE, ID 83436

A2207119



2. Date of Priority: DEC 10, 1974

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	3	NW	NW	SE		TETON

5. Description of diverting works:
DIVERSION WORKS OF NORTH PROJECT #1 OF CLEMENTSVILLE PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.440		

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

8. Total consumptive use is 932.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	44E	32	NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	37.0
			SE		SW		IRR	39.0
			NW		SE		IRR	39.0
			SW		SE		IRR	38.0

Section Acres 466.0

Total Acres 466.0

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:
22-07221 & ISLAND PARK STORAGE RTS.

14. Remarks:
SUBJECT TO LICENSING REVIEW. CLAIM BASED UPON FIELD EXAM DONE
BY DEPARTMENT STAFF ON 06/18/1979.

15. Basis of Claim: PERMIT

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Ken D. Nelson Date: 10/6/88
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of October 19 88

[Signature]
Notary Public

Residing at Snake Falls, ID

My Commission Expires 22 Aug 1994

Seal

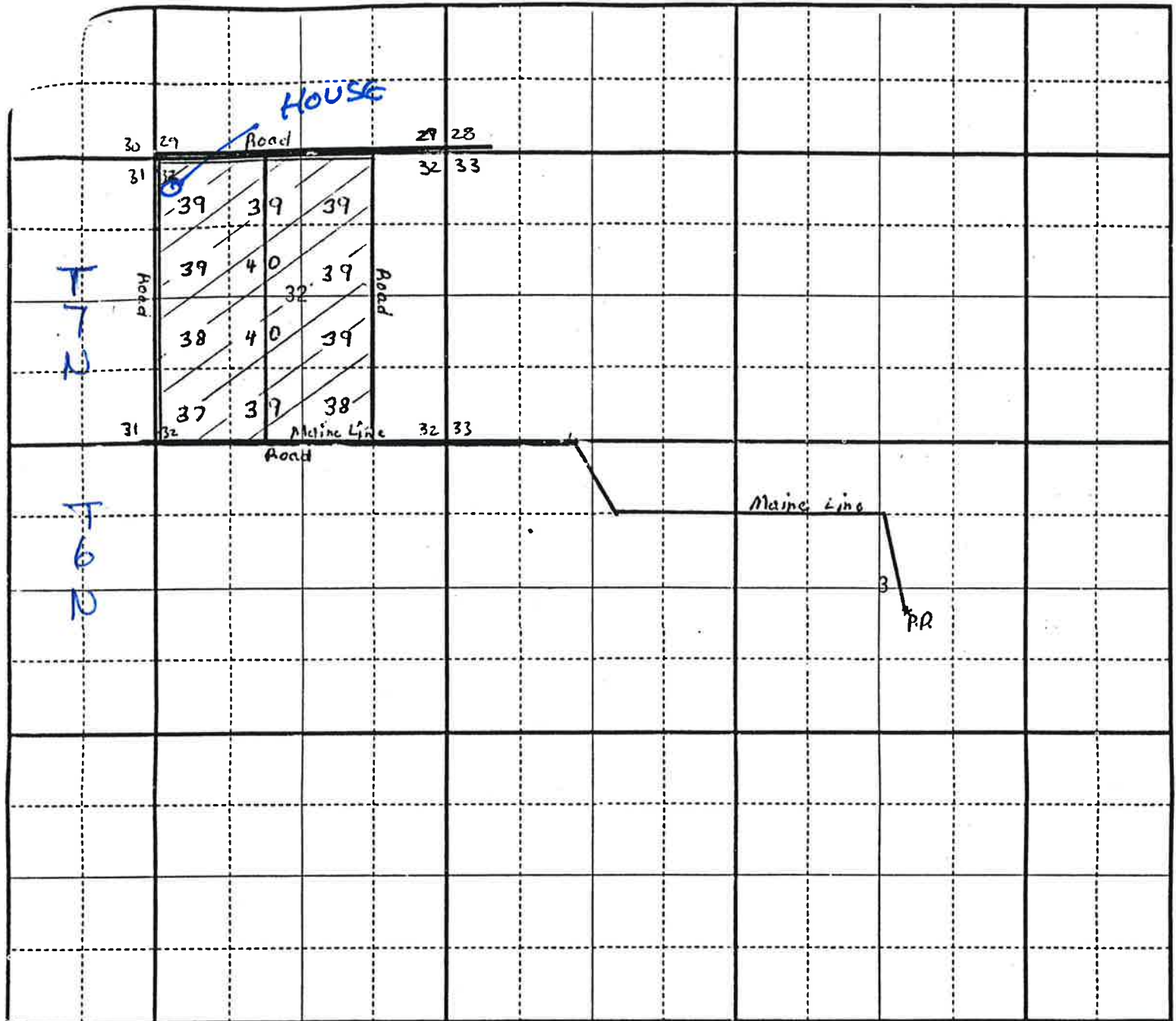


Diagram of System

A22-07119
-12162

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OCT 29 1992