

09/25/2006

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

RIGHT NUMBER: 22-7148

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: 7.000 CFS
2,554.70 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: 07/23/1975

POINT OF DIVERSION:
T06N R44E S3 SWNWSE Within TETON County
T06N R44E S10 NWSENE Within TETON County
T06N R44E S15 SWNENW 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	7.000 CFS 2,554.70 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

Place of use does not include federal public lands

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.

This right is limited to the irrigation of 800 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 includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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 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.

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, 22-7470, and 22-7505.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07148

Priority: July 23, 1975

Maximum Diversion Rate: 7.00 CFS
Maximum Diversion Volume: 2554.7 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 July 23, 1975; and
has submitted Proof of Beneficial Use on September 13, 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	7.00 CFS	2554.7 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 3, 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	43E	2	Lot 2(NWNE) 13	SWNE 3	Lot 3(NENW) 28	
			Lot 4(NWNW) 33	SWNW 38	SENE 32	
			NWSW 18	SWSW 1		166
		3	Lot 1(NENE) 33	Lot 2(NWNE) 32	SWNE 29	
			SENE 37	Lot 3(NENW) 32	Lot 4(NWNW) 25	
			SWNW 16	SENE 25	NESW 33	
			NWSW 18	SWSW 40	SESW 40	
			NESE 33	NWSE 40	SWSE 38	
			SESE 5			476
07N	43E	34	NESW 39	NWSW 40	SWSW 40	
			SESW 39			158

Total number of acres irrigated: 800

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.

RECORDED

OCT 21 1976

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

WATER RIGHT NO. 22-07148

CONDITIONS OF APPROVAL AND REMARKS

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.
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 North 1 Project shall not exceed 28.7 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, 1992.


Acting for KARL J. DREHER, Director

RECORDED

OCT 21 1992

2019 Jan 15

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

DeMar Bott

458-4966 SEP 28 1976

1. Name of permit holder

Newdale, Idaho 83436

Post office address.

Phone 730-4550
Department of Water Resources
Eastern District Office

Person to contact

Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒

Teton River

Tributary to

Snake (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 7.00 c.f.s. for Irrigation
AF/Annum (nature of

Period of Use: from April 1 to Nov. 1
(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:

Permit No. 22-7148
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 7.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

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: 500 hp pump and motor, jointly owned trunkline system from farm to river and privately owned pipe on farm.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

Amund P.U. P.D. const

[illegible]

800

TOTAL ACREAGE

See Attachment

DATE OF EXAM 6/19/79

ACREAGE
Found 800 Ac
Recommended 800 Ac

Irrigation Requirement 30 Ac Ft/Ac

USE
Irrigation Q = 5.74 c.f.s. V = 2400 AF/Ann. from April 1 to Nov. 1
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 ^{NORTH} Max of North Station ^{80'} Method of measurement Annular

Total Q recommended 5.74 cfs Meter No. 23.25 ^{Boyle & Co} Type Annular Condition Std

Total V recommended 2400 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:
27.5" w/ 23.25 annular $Q = (25.25)^2 3.85 \sqrt{27.5} = 28.7 \text{ cfs}$
 $3.0 \text{ AF/Ac} \times 800 \text{ Ac} = 2400 \text{ AF/Ann.}$ $5.74 \text{ cfs} \times 1.9835 \text{ cfs/AF/Ann.} \times 214 \text{ days} = 2436.5 \text{ AF/Ann.}$
 $183 \sim 2083.5 \text{ cfs}$

SYSTEM DESCRIPTION:

See attachment
lands irrigated by hand line + wheel lines

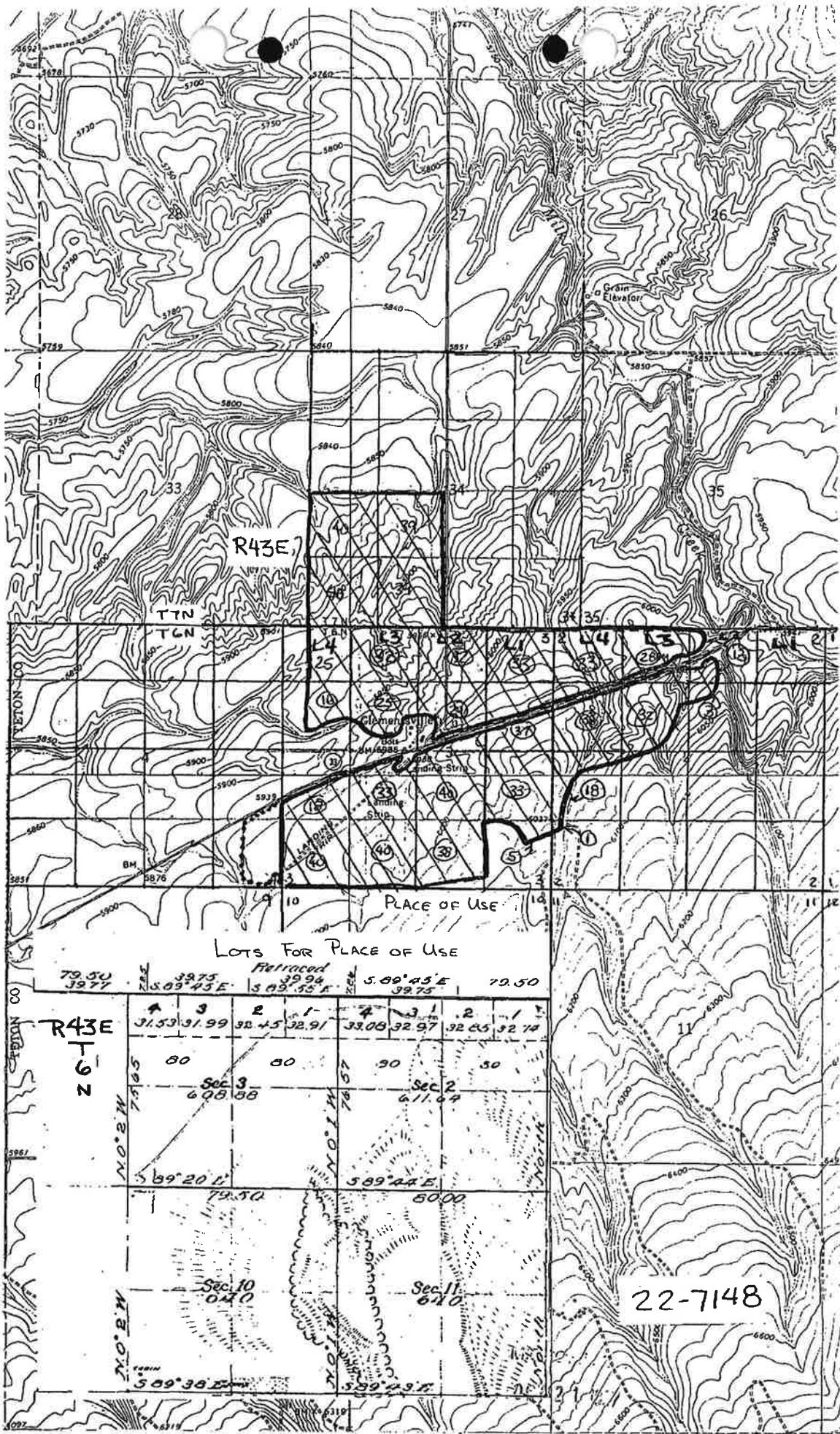
REMARKS:

System shown and described by De Man Post

Examiner's Signature John D. Condon Date 4/29/80

Checked by Keith C Wilson Date 22 Oct 1980

Approved by Bryanne McElrath Date 7/7/89



LOTS FOR PLACE OF USE

79.50 3977		Retraced 3975 S 89° 45' E		3994 S 89° 45' E		5.89° 45' E 3975		79.50	
R43E		4	3	2	1	4	3	2	1
T6N		31.53	31.99	32.45	32.91	33.08	32.97	32.65	32.74
N 0° 2' W		80		80		30		30	
79.50		Sec 3 608.88		79.50		Sec 2 611.64		6000	
N 0° 2' W		S 89° 20' E		N 0° 1' W		S 89° 44' E		N 0° 1' W	
79.50		Sec 10 640		6000		Sec 11 640		N 0° 1' W	
N 0° 2' W		S 89° 38' E		S 89° 49' E		N 0° 1' W		N 0° 1' W	

22-7148

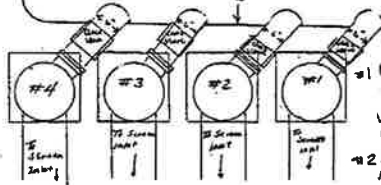
NORTH PROJECT # 2

MEASUREMENT 5 8.76 cfs
(July 1979)

50% Darrell Area = 4.38 cfs
50% Clint Hooper = 4.38 cfs

#3 U.S. ELECTRICAL
MOTOR 200hp
3/4" CD 6377-619
VERTILINE PUMP
3/4" N/A

#4 U.S. ELECTRICAL
MOTOR 200hp
3/4" CD 6377-619
1316-9-617
VERTILINE PUMP
3/4" N/A



#1 U.S. ELECTRICAL
MOTOR 200hp
3/4" CD 6377-619
VERTILINE PUMP
3/4" N/A

#2 U.S. ELECTRICAL
MOTOR 200hp
3/4" CD 6377-619
VERTILINE PUMP
3/4" N/A

CLEMENTEVILLE PIPELINE NORTH PROJECT # 1

Measurement of 28.7 cfs
(July 1979)

#1 GE 500hp
3/4" HKT82102
VERTILINE
PUMP
3/4" V75-72418

#2 GE 500hp
3/4" HKT82102
VERTILINE
PUMP
3/4" V75-72410

#3 GE 500hp
3/4" CLJ31204
VERTILINE
PUMP
3/4" V75-72444A

#4 GE 500hp
3/4" HKT82102
VERTILINE
PUMP
3/4" V75-72440

#5 GE 300hp
3/4" KLT 1001120
VERTILINE PUMP
3/4" V75-72442

#6 GE 200hp
3/4" BMJ 225T36
VERTILINE PUMP
3/4" V76-70641

20% Max Merrill Rammell = 5.74 cfs
20% Clint Hooper = 5.74 cfs
8% Darrell Ron Ard = 2.30 cfs
12% Glen Nelson = 3.44 cfs
20% DeMar Bott = 5.74 cfs
20% Ed Parkinson = 5.74 cfs

22-7148/22-7211/22-7295

RECEIVED
OCT 21 1979

North Project # 1 only

22-7148
22-7211
22-7295

22-7148

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7148

Permit No.

Overlap Review

- a) Other water rights with same place of use: EXCA Wells 22-7211 / 22-7295
- b) Other water rights with same point of diversion: 22-0145A / 02218 / 02458 / 7108 / 7111 / 7119 / 7121 / 7122 / 7157 / 7186 / 7504 / 7505 ^{RE-DIVERSION for} Groundwater 22-7208 / 7211 / 7216 / 7223 / 7295 / 7360 / 7375
- c) Analysis:

Diversion thru North Project #1 Q LIMITED TO 20% OF TOTAL Q
 $\therefore Q = (28.7 \text{ cfs})(0.20) = 5.74 \text{ cfs}$ which means 22-7211, 22-7295 and
their right 22-7148 for same plu cannot exceed 5.74 cfs in combination.

R04

R01

MICROFILMED

OCT 21 1987

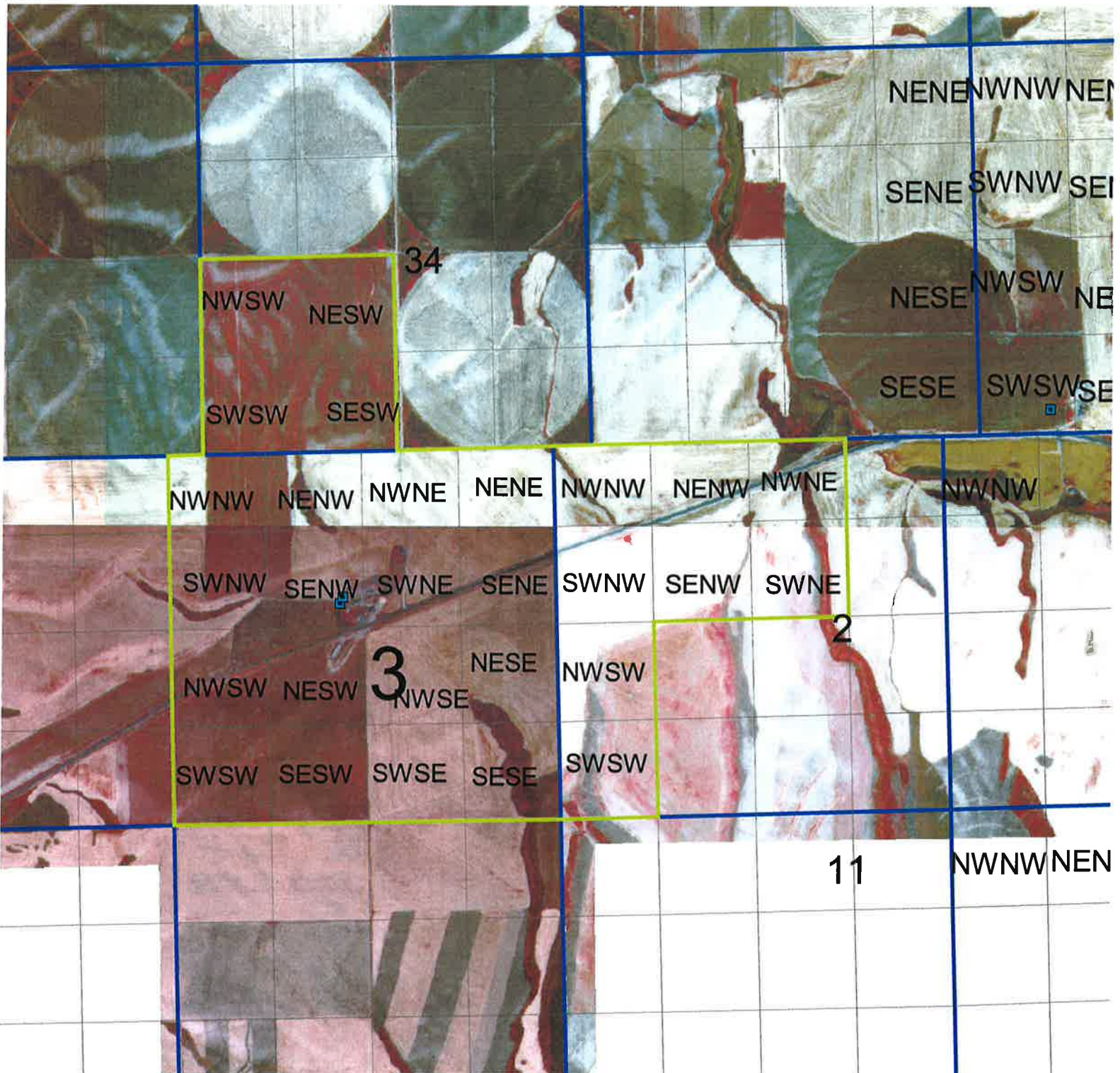
Regional Office by

Keith C. Wilson

Date

22 Oct 1986

22-7148



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: A22-07148
Date Received: 8/11/1988
Receipt No: E001242
Received By: Kcw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-458-4966

1. Name: BOTT LAND INC.
Address: HC 60 BOX 1143
NEWDALE, ID

83436

2. Date of Priority: JUL 23, 1975

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	3	SW	NW	SE		TETON

5. Description of diverting works:
NORTH PROJECT #1 - TETON PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.740		

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

8. Total consumptive use is 1600.0 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	43E	2	NW	NE	2	IRR	13.0
			SW	NE		IRR	3.0
			NE	NW	3	IRR	28.0

A22-07148

Page 1

Date: 08/11/88

A2207148



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	43E	2	NW		NW	4	IRR	33.0
			SW		NW		IRR	38.0
			SE		NW		IRR	32.0
			NW		SW		IRR	18.0
			SW		SW		IRR	1.0
			Section Acres 166.0					
		3	NE		NE	1	IRR	33.0
			NW		NE	2	IRR	32.0
			SW		NE		IRR	29.0
			SE		NE		IRR	37.0
			NE		NW	3	IRR	32.0
			NW		NW	4	IRR	25.0
			SW		NW		IRR	16.0
			SE		NW		IRR	25.0
			NE		SW		IRR	33.0
			NW		SW		IRR	18.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	33.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	5.0
				Section Acres 476.0				
07N	43E	34	NE		SW		IRR	39.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	39.0
			Section Acres 158.0					
			Total Acres 800.0					

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:
22-7211

14. Remarks:
DIVERSION IS THRU THE NORTH PROJECT #1 OF THE TETON-CLEMENTSVILLE
PIPELINE

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am President of BOTT LAND INC., that I have signed the foregoing document in the space below as President of BOTT LAND INC and that the statements contained in the foregoing document are true and correct.

De'Man Bott
Signature of Authorized Agent
President
Title and Organization
8-11-88
Date

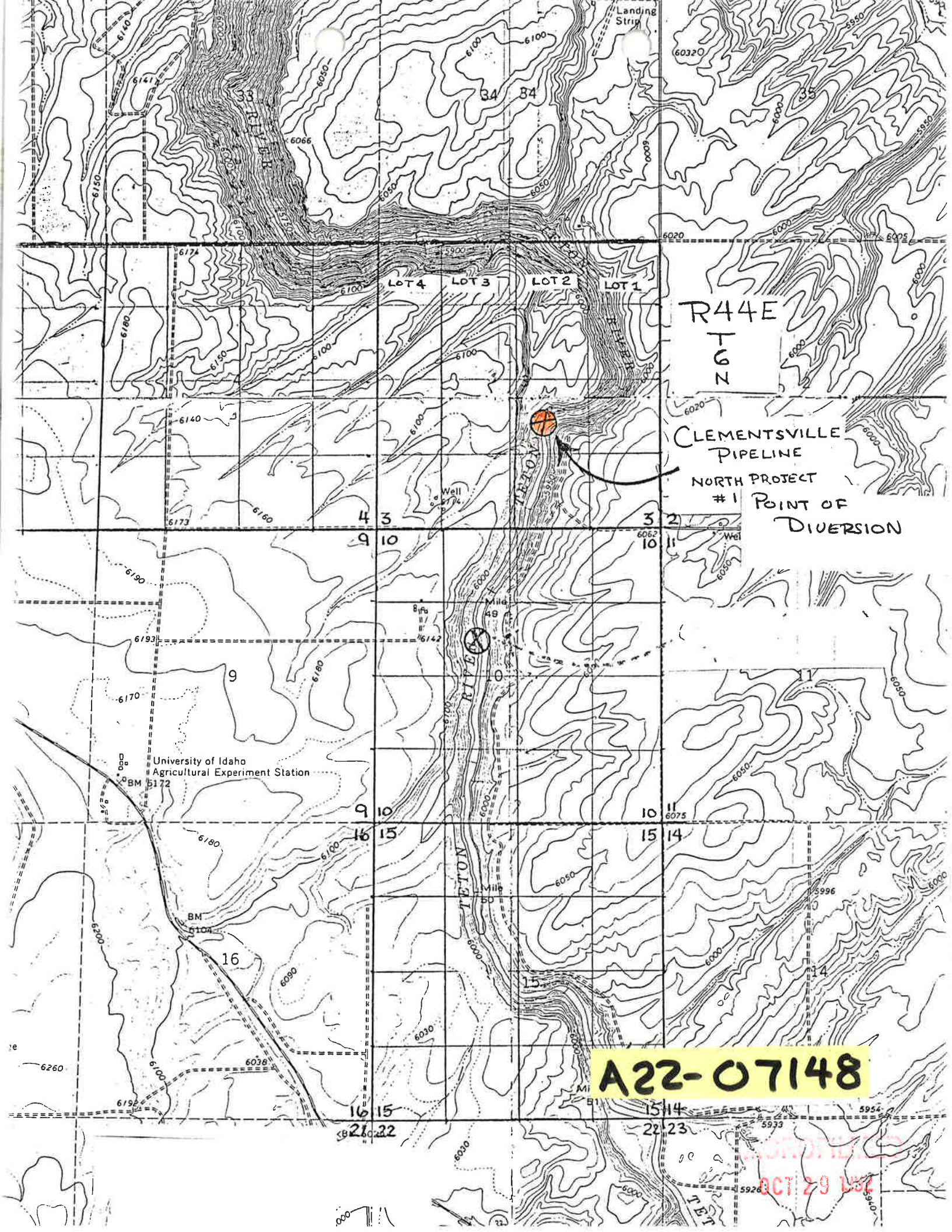
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of August 19 88

Betty J. Thompson
Notary Public



Residing at Idaho Falls
My Commission Expires 6-94



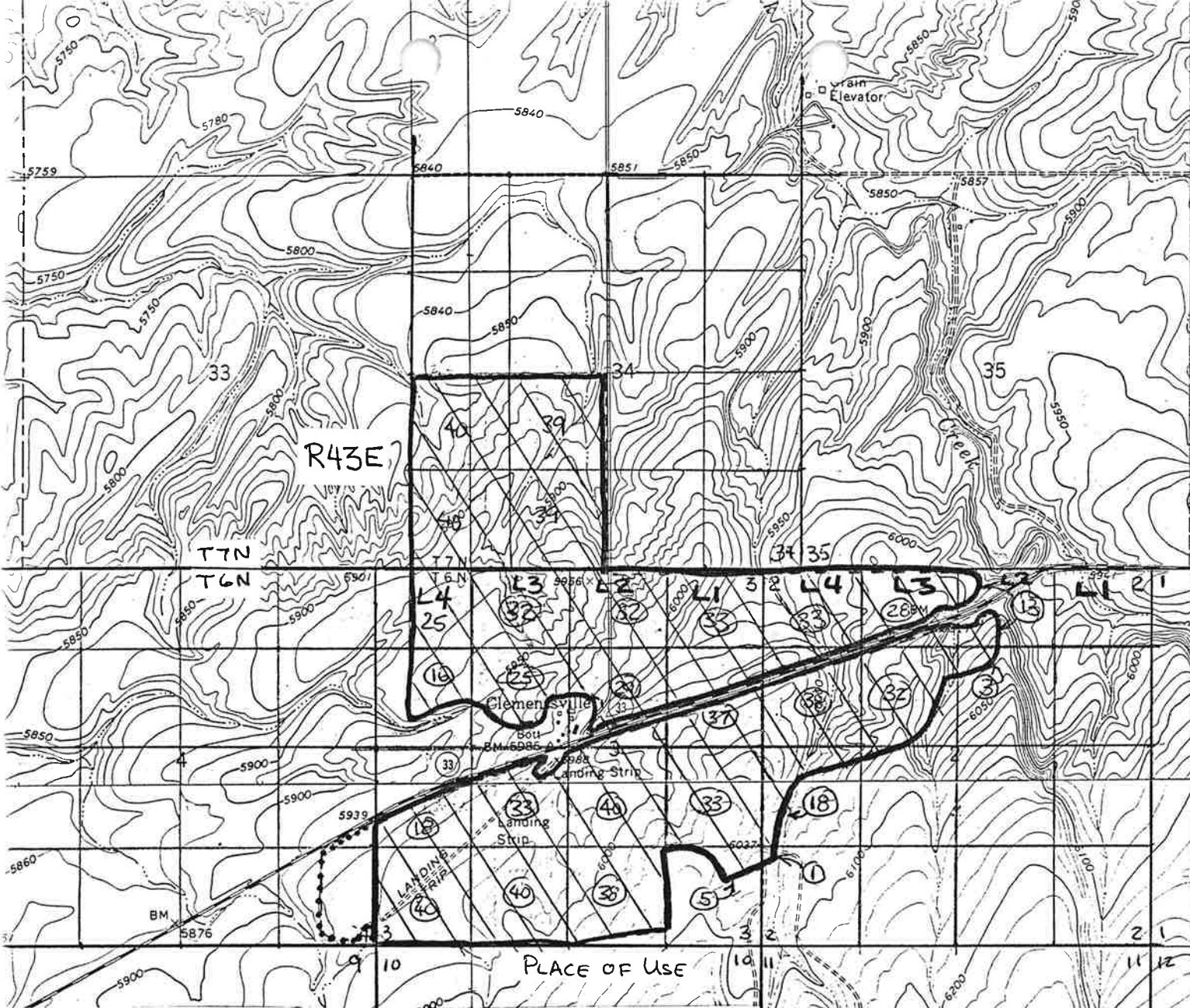
R44E
T
26N

CLEMENTSVILLE
PIPELINE
NORTH PROJECT
#1 POINT OF
DIVERSION

University of Idaho
Agricultural Experiment Station

A22-07148

OCT 29 1952



LOTS FOR PLACE OF USE

Retraced

79.50 39.75 39.96 5.89°45'E 79.50
39.77 5.89°45'E 39.96 5.89°45'E 39.75

R43E
T6N

31.53	31.99	32.45	32.91	33.08	32.97	32.85	32.74
80	80	80	80	80	80	80	80
Sec 3 608.88				Sec 2 611.64			
N 0° 20' W				N 0° 11' W			
79.50				60.00			
S 89° 20' E				S 89° 44' E			

Sec 10 047.0				Sec 11 64.0			
N 0° 0' W				N 0° 11' W			

A22-07148
OCT 29 1992

