

09/25/2006

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

RIGHT NUMBER: 22-7181

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: 3.200 CFS
480.00 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: 04/01/1976

POINT OF DIVERSION:

T06N R44E S3 SWNWSE Within TETON County
T06N R44E S10 NWSNW Within TETON County
T06N R44E S15 SWNEW 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	3.200 CFS 480.00 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

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 160 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 place of use pursuant to Section 42-1425, Idaho Code.

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.

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. 22-07181

Priority: April 1, 1976

Maximum Diversion Rate: 3.20 CFS
Maximum Diversion Volume: 480.0 AF

This is to certify, that ECHO RANCH INC

PO BOX 97

TETONIA ID 83452

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 1, 1976; and has submitted Proof of Beneficial Use on June 14, 1979. An examination indicates that the works have a diversion capacity of 10.380 cfs of water from:

TETON RIVER

tributary to SNAKE RIVER

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	3.20 CFS	480.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 10, 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	9	SENE 40	NESE 33		73
		10	SWNW 40	SENW 6	NESW 3	87
			NWSW 38			

Total number of acres irrigated: 160

CONDITIONS/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 limited to the amount that can actually be beneficially use 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07181

CONDITIONS/REMARKS:

6. Measuring devices and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works. Three points of diversion are located within the SENW, S10, T6N, R44E. *BAENCKIS POO*

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 29TH day of July, 19 92.

Acting for *R. Keith Higginson*
R. Keith Higginson, Director

DEPARTMENT OF WATER RESOURCES FIELD REPORT

1. Name of permit holder Eden Ranch, Inc.
 Post office address Box 188, Padburg, Ill Phone 356-6724
 Person to contact _____ Phone _____
 2. Source of water supply: Groundwater ☐ Surface water ☒ Leton River
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from 4-1 to 11-1
 (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: _____

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6N N/S, Range 4E E/W, B.M., Section 10, Subdivision SE 1/4 NW 1/4 Leton
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4
 County

Other Points of Diversions: _____

Description of diverting works: 20" mainline, handlines, pump

Measuring device required: yes ☒ no ☐

6. Lands to be 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>6N</u>	<u>4E</u>	<u>10</u>						<u>40</u>	<u>40</u>	<u>6</u>	<u>3</u>	<u>38</u>	<u>40</u>						<u>80</u> ^{33Ac}
		<u>9</u>			<u>40</u>										<u>33</u>	<u>40</u>			<u>80</u> ^{73Ac}

TOTAL ACREAGE 160

RECEIVED

AUG 8 1918

Department of Water Resources
Eastern District Office

Permit No. 28-7181
 Examination for 6/1

NOT RECORDED

AUG 12 1992

DATE OF EXAM 7/9/79

ACREAGE
Found 160 AC
Recommended 160 AC

Irrigation Requirement 3.0 Ac Ft/Ac

USE 3.20
Irrigation Q = 3.02 c.f.s. V = 480 AF/Ann. 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 6.02 cfs Method of measurement Pitot Tube

Total Q recommended 3.02 cfs Meter No. 19.25 Type Annubar Condition Std

Total V recommended 480 AF/Ann.

Recommended Amendments:

P.D.
Place of Use ADD P/L
Other
None

MEASUREMENT CALCULATION:

See Attachment
 $160 AC \times 3.02 cfs = 483.2 cfs$ $3.20 \times 183 = 585.6$ 1161.5
 $483.2 cfs \times 1.9835 cfs/AF/Ann. = 958.4 AF/Ann.$ $585.6 \times 2.14 dyc = 1253.2 AF/Ann.$

SYSTEM DESCRIPTION:

See Attachment
Total River water is diverted up the canyon wall to two pivots and hand and wheel lines

REMARKS: DIVERSION THEN CENTRAL (Boelke) Project
System shown + described by Earl Hooper

R29 Tr. 22-7044A 210 AC 4.01 cfs 630 AF/Ann. same pd. + PDU
R05 (22-7209)
R17 (22-7044A / 7209) (6.02 cfs) SEE FROM 22-7392 increased capacity of 10.38 cfs

Examiner's Signature John Dale Carson Date 4/14/84

Checked by Keith C Wilson Date 15 May 1986

Approved by Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7181

Permit No.

Overlap Review

- a) Other water rights with same place of use: 22-7044A (Teton River) 22-7209B (Groundwater)
- b) Other water rights with same point of diversion: 22-7044A/7110/7392 Re diversion for
Groundwater 22-7209B, 22-7375B
- c) Analysis: R01
R04

This right Limited to 100% of ownership of Central (Boelke) Project
 $\therefore Q = 10.38 \text{ cfs}$ Q increased by exam for 22-7392 done 10 Aug 1982

Q LIMITED BY PERMIT AMOUNT $0.02 \text{ cfs/cc} = 3.20 \text{ cfs}$

This right when diverted in conjunction with 22-7044A, 22-7110, 22-7392, 22-7209B,
and 22-7375B shall not exceed 10.38 cfs.

MICROFILMED

AUG 12 1992

Regional Office by

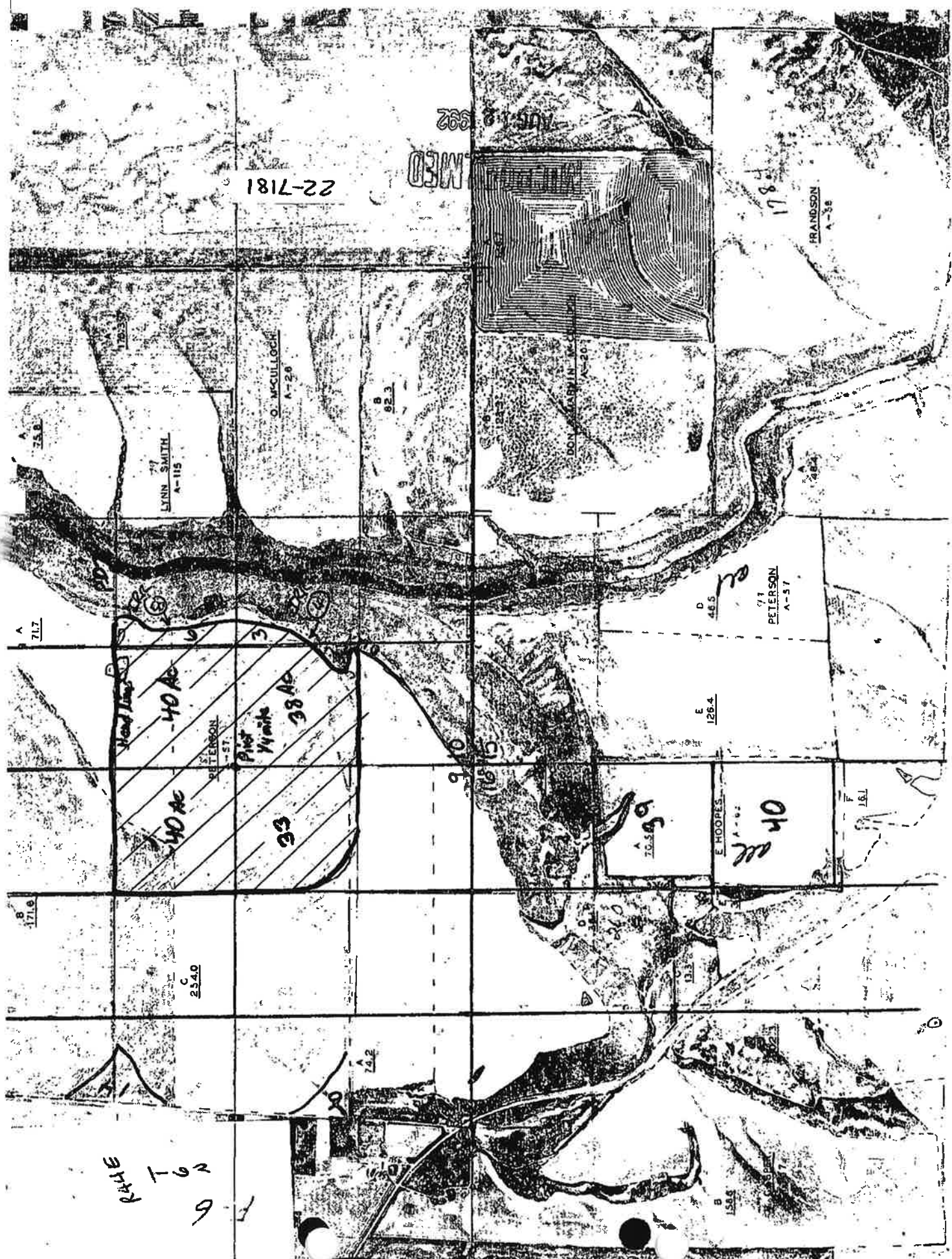
Keith C Wilson

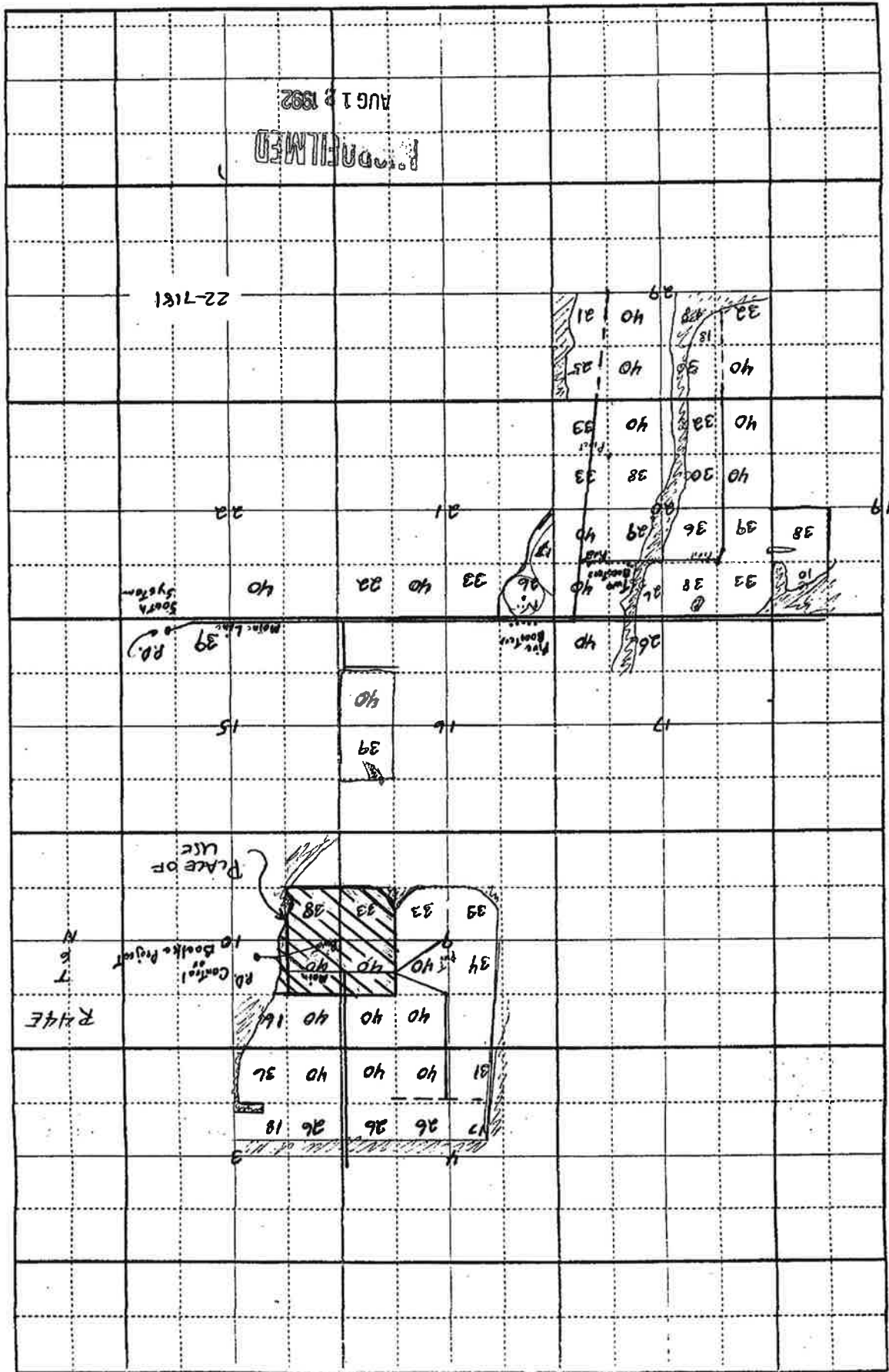
Date

5 Nov. 1986

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9-1





CENTRAL OR BOELKE PROJECT
SE 1/4 NW 1/4 SEC 10
T6N R44EBM

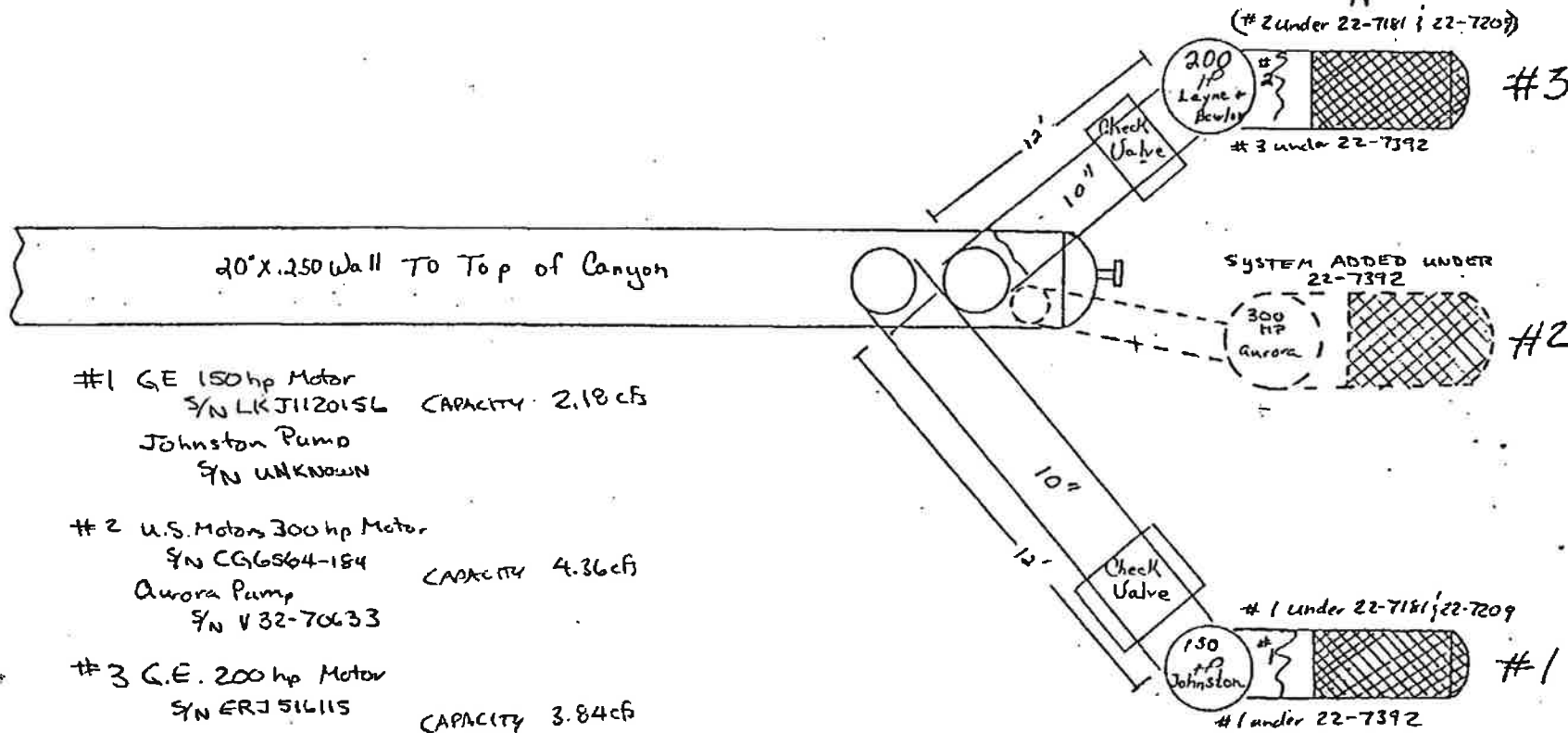
22-7181
22-7209
22-7375
22-7392



AUG 12 1992

22-7181

CHANGE IN SYSTEM 10 AUG 1982 FOUND DURING
EXAM FOR 22-7392



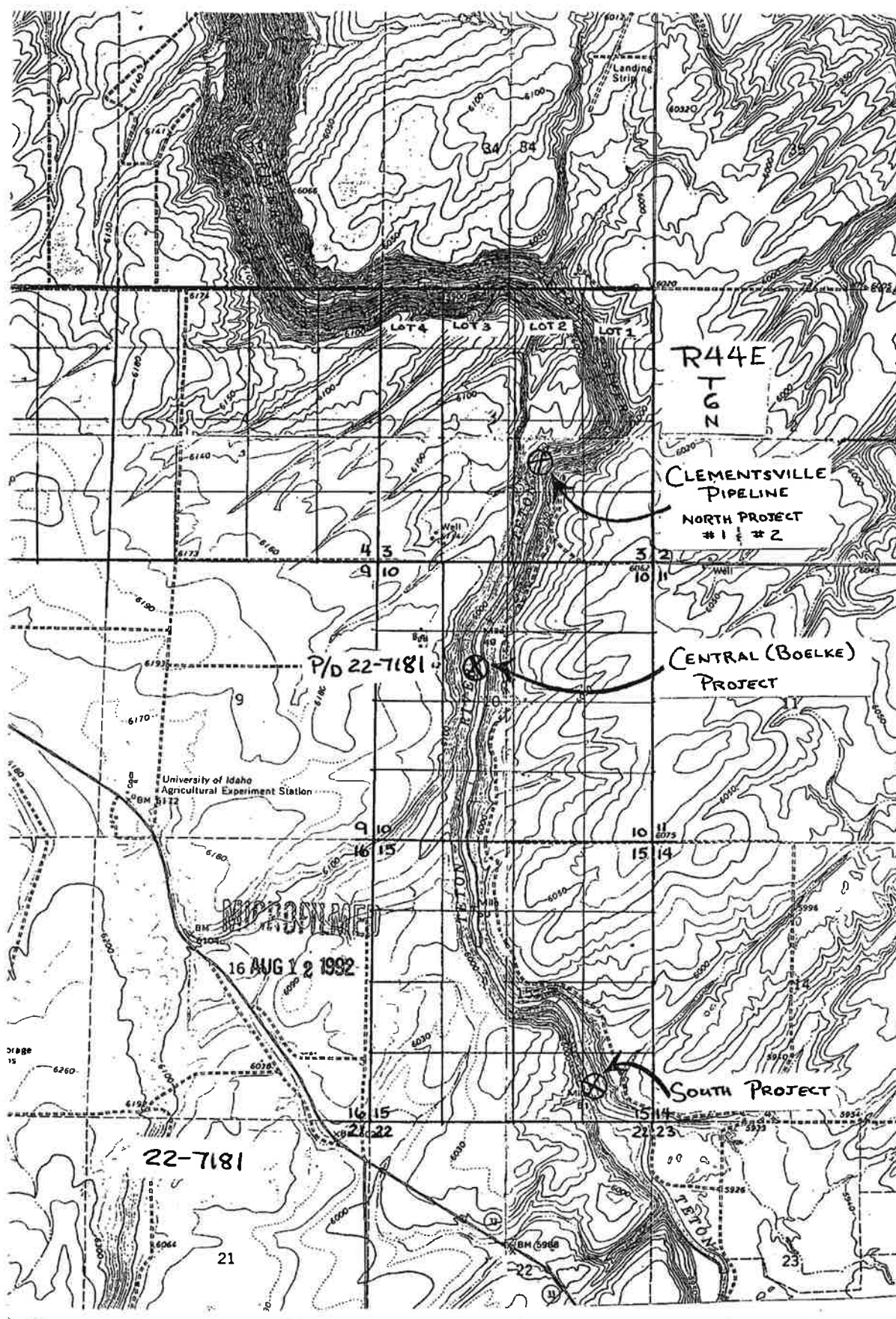
#1 GE 150hp Motor
S/N LKJ1120156 CAPACITY 2.18 cfs
Johnston Pump
S/N UNKNOWN

#2 U.S. Motors 300hp Motor
S/N CG6S64-184 CAPACITY 4.36 cfs
Aurora Pump
S/N V32-70633

#3 G.E. 200hp Motor
S/N ERJ516115 CAPACITY 3.84 cfs
Aurora Pump
S/N 02385

Total Q = 10.38 cfs

(CAPACITY FROM 22-7392)
10 AUG 1982



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 22-7181
Date Received: 3/3/2004
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

TETON PIPELINE ASSN INC Phone: (208)456-2567
PO BOX 272
TETONIA ID USA 83452

2. Date of Priority: 04/01/1976

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 ON TETON RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	3.2	480

7. Total Quantity Appropriated is:

3.2 C.F.S. and/or 480 A.F.A.

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	9	SE NE	IRRIGATION	40
			NE SE	IRRIGATION	33
			Section Acres		73

06N 44E 10

SW NW
SE NW
NE SW
NW SW

IRRIGATION 40
IRRIGATION 6
IRRIGATION 3
IRRIGATION 38

Section Acres 87

Total Acres 160

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:

PLACE OF USE CONSISTS OF COMPANY STOCKHOLDERS LAND

15. Basis of Claim: License

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 22-7181
Date Received 2/26/04
Receipt Number E029559

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 25 2004

Department of Water Resources
Eastern Region

1. Name of Claimant(s) Teton Pipeline Association, Inc. Phone (208)
Mailing Address P.O. Box 272, Teton, Idaho Zip 83452
2. Date of Priority (Only (1) per claim) April 1, 1976
3. Source of water supply (a) Teton River
which is tributary to (b) Henry's Fork
- 4.a. Location of existing point of diversion is:
Township 6N Range 44E Section 10, ___ 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____,
County of Teton
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, ___ 1/4 of ___ 1/4 of ___ 1/4, Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, ___ 1/4 of ___ 1/4 of ___ 1/4 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged
and the depth of each well. Pump on Teton River
6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)
For Irrigation purposes from 04/15 to 10/15 amount 3.2 cfs or _____
7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of
livestock Etc.) _____

- [illegible]

Last Name Teton Pipeline Association, Inc. Ident. Number 22-7181

State of Idaho

) SS.

County of Bonneville

)

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



Notary Public Kent W. Foster

Residing at Idaho Falls, Idaho

My Commission Expires 11/20/04

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster

Address P.O. Box 50130, Idaho Falls, ID 83405-0130

Date 2/20/04

G:\WPDATA\KWF\8527 SMITH, BOYD\11069.001 Hoopes-Ehco Ranch\Teton Pipeline Assoc\WR Claims\Claim7181.wpd:cdv