

09/25/2006

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

RIGHT NUMBER: 22-7186

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: 11.160 CFS
1,953.00 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: 04/27/1976

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	11.160 CFS 1,953.00 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 558 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

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.

The following rights are also diverted through points of redirection/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 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

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07186

Priority: April 27, 1976

Maximum Diversion Rate: 11.16 CFS
Maximum Diversion Volume: 1953.0 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 April 27, 1976; and
has submitted Proof of Beneficial Use on June 25, 1979. An examination indicates
that the works have a diversion capacity of 37.460 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	11.16 CFS	1953.0 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	44E	6	Lot 1(NENE)	24	Lot 2(NWNE)	34	SENE	27	85
07N	44E	30	NENW	40	Lot 1(NWNW)	39	Lot 2(SWNW)	39	
			SENE	40	NESW	40	Lot 3(NWSW)	39	
			Lot 4(SWSW)	38	SESW	39			314
		31	NENW	39	SENE	40	NESW	40	
			SESW	40					159

Total number of acres irrigated: 558

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.

2007-1-22

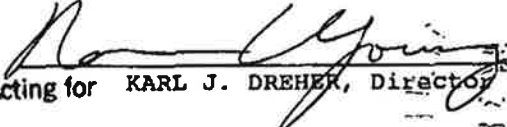
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07186

CONDITIONS OF APPROVAL AND REMARKS

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 and from the North 2 Project shall not exceed 8.76, for a maximum combined diversion rate of 37.46 cfs under the Clementsville Project (North 1 and 2).
9. A total of ten 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

OCT 21 1992

1089

DEPARTMENT OF WATER RESOURCES FIELD REPORT

1. Name of permit holder Carroll Ard
 Postoffice address Star Pt, Newdale, Id Phone 456-7268
 Person to contact _____ Phone 356-3476
2. Source of water supply: Groundwater ☐ Surface water ☒ Liton
 (name spring, stream, etc.)
 Tributary to _____ AUG 8 1979
3. Water will be used for the following purposes:
 Amount 12.4 c.f.s. for irrigation
 AF/Annum (nature of use)
 Period of Use: from 7-1 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: _____

 Department of Water Resources
 Eastern District Office

 Permit No. 22-7186
 Examination for 6/2

4. Total amount to be appropriated:
 Max Rate of Diversion 12.4 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 1/4 SE 1/4 Liton
 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: pumps

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>44E</u>	<u>6</u>	<u>40</u>	<u>40</u>		<u>40</u>	<u>40</u>												<u>160</u>
<u>7N</u>	<u>44E</u>	<u>30</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>						<u>320</u>
		<u>31</u>					<u>40</u>			<u>40</u>	<u>40</u>		<u>40</u>						<u>160</u>

TOTAL ACREAGE

640

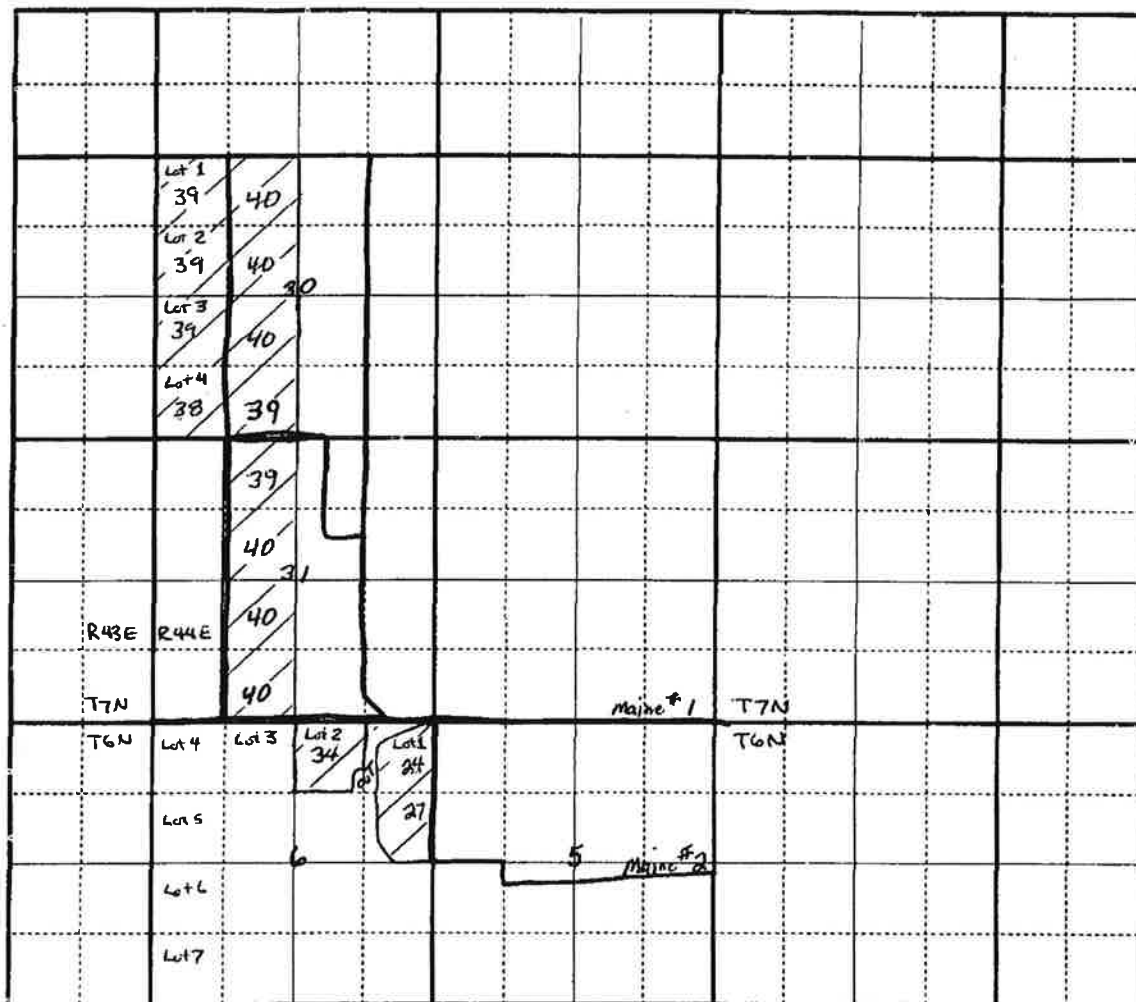


Diagram of System

See Attachment

MEC 10/1/12
31-1-12

DATE OF EXAM 7/27/79

ACREAGE
Found 558 Ac
Recommended 558 Ac

Irrigation Requirement 3.0 Ac Ft/Ac

USE 3.07 1114.74
Irrigation Q = 6.68 c.f.s. V = 1674 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 37.46 cfs Max. of 2 Projects #1 + #2 Method of measurement Annubar
#1 8% = 2.3 cfs #2 50% = 4.38 cfs 8% of #1 50% of #2
Total Q recommended 6.68 cfs Meter No. 15.354 Type Sage & Pe Condition SD
1114.74
Total V recommended 1674

Recommended Amendments:

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

MEASUREMENT CALCULATION:

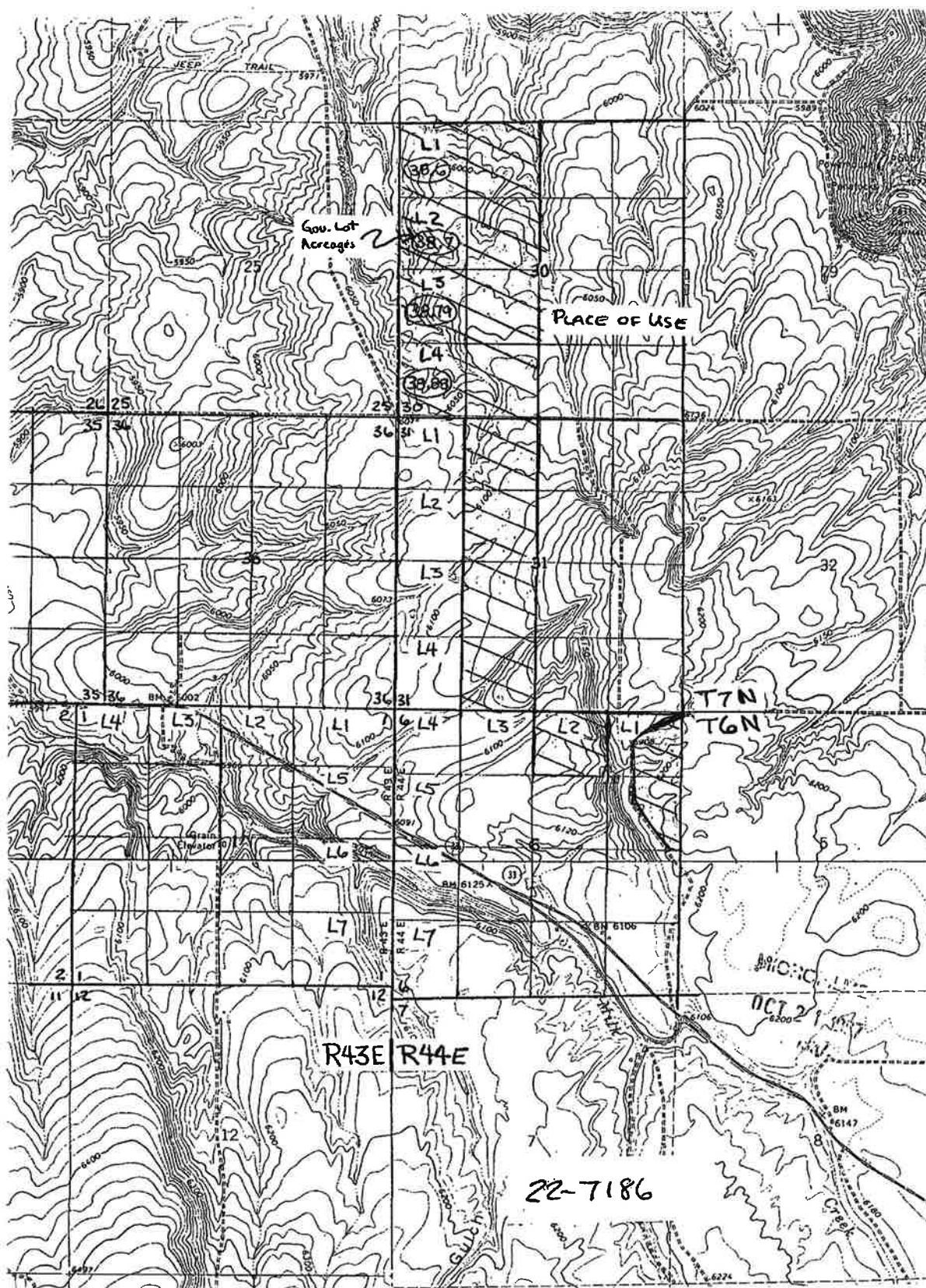
See attached system description North Project #1 = 28.7 cfs #2 = 8.76 cfs
8% of #1 50% of #2
Land irrigated by wheel line + hand line: 2.3 cfs + 4.38 cfs = 6.68 cfs
558 Ac x 3.0 Ac/Ac = 1674.00 Annubar 6.68 cfs x 1.9835 cfs AF/dy x 274 dy = 9.235 AF/Ann.

SYSTEM DESCRIPTION:

System shown + described by Roni And.
Danell And has 8% in north #1 and 50% in north #2

REMARKS:

Examiner's Signature John D. Carlson Date 4/30/80
Checked by Keith C Wilson Date 23 Oct 1986; 4 Nov 1987
Approved by Barbara McElroy Date 7/10/89



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7186

Permit No.

Overlap Review

a) Other water rights with same place of use: 22-7223

b) Other water rights with same point of diversion: 22-0145A/0221B/0245B/7108/7119/7121
7122/7148/7157/7111 RE-DIVERSION for
GROUNDWATER 22-7208/7211/7216/7223/7295/7360/7375

c) Analysis: RO1, RO4

This right Limited by 8% ownership of North Project #1 & 50% of North Project #2

$$Q = (0.08)(28.7 \text{ cfs}) + (0.50)(8.76 \text{ cfs}) = 6.676 \text{ cfs}$$

Rights [22-7111 for 655 ac]
[22-7186 for 558 ac]
1213 ac

$$\text{VOLUME: } 1213 \text{ ac} \times 3.0 \text{ afa} = 3639 \text{ afa}$$
$$6.676 \text{ cfs} \times 1.9835 \times 183 = 2423.26 \text{ afa}$$

VOLUME LIMITED TO 2423.26 afa

TO Determine Share

$$22-7111 - \left[\frac{655}{1213} \right] = 0.5399 \times 2423.26 \text{ afa} = 1308.52$$

$$22-7186 - \left[\frac{558}{1213} \right] = 0.4600 \times 2423.26 \text{ afa} = 1114.74 \text{ afa}$$

Q LIMITED TO 6.676 cfs

TO Determine Share

$$22-7111 - \left[\frac{655}{1213} \right] = 0.5399 \times 6.676 \text{ cfs} = 3.605 \text{ cfs}$$

$$22-7186 - \left[\frac{558}{1213} \right] = 0.4600 \times 6.676 \text{ cfs} = 3.071 \text{ cfs}$$

R17 (22-7111; 22-7223) (6.676 cfs)

Regional Office by

Keith C. Curtis

Date

4 Nov 1986

MICROFILMED

OCT 21 1986

22-7186



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: A22-07186
Date Received: 7/18/1988
Receipt No: 600765
Received By: 20

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARD FARMS INC. 208-456-2835
Address: STAR RT.
NEWDALE, ID 83436

2. Date of Priority: APR 27, 1976

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

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

5. Description of diverting works:
PUMP FROM RIVER INTO CLEMENTSVILLE PIPELINE PROJECT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.070		

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

8. Total consumptive use is 1395.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	44E	6	NE	NE	1	IRR	24.0
			NW	NE	2	IRR	34.0
			SE	NE		IRR	27.0

Section Acres 85.0

A22-07186

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Date: 07/18/88

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OCT 29 1992



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	44E	30	NE		NW		IRR	40.0
			NW		NW	1	IRR	39.0
			SW		NW	2	IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	39.0
			SW		SW	4	IRR	38.0
			SE		SW		IRR	39.0
							Section Acres	314.0
		31	NE		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	159.0
							Total Acres	558.0

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:
RT. 22-7186/22-07223

14. Remarks:
THIS WATER DIVERTED THROUGH THE CLEMENTSVILLE PIPELINE NORTH
PROJECTS 1 & 2.

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: 2

For Organizations:

I do solemnly swear or affirm that I am Secretary of Card Farms Inc., that I have signed the foregoing document in the space below as Secretary of Card Farms Inc. and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Sec. Card Farms Inc.
Title and Organization

18 July 88
Date

State of Idaho)
County of Bonanza) SS.

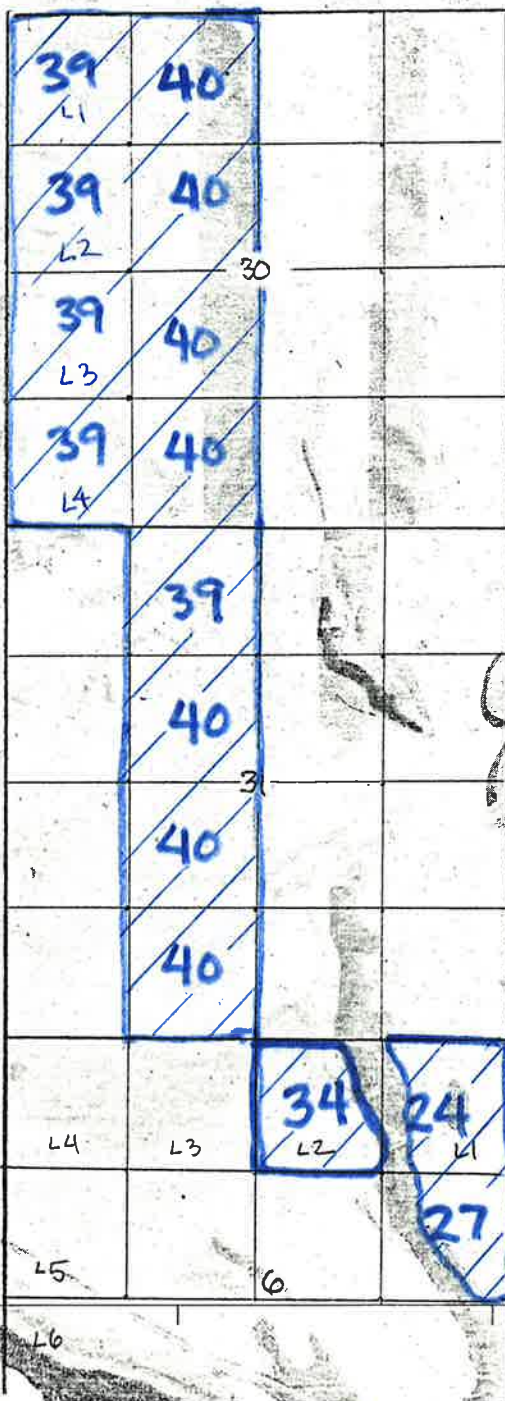
Subscribed and sworn (or affirmed) before me this 18th day
of July 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

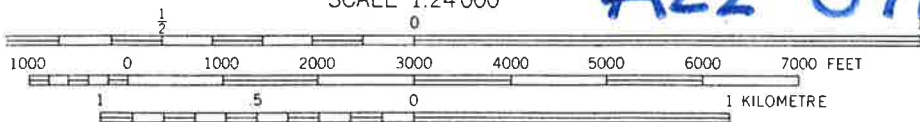
R44E



T7N
T6N

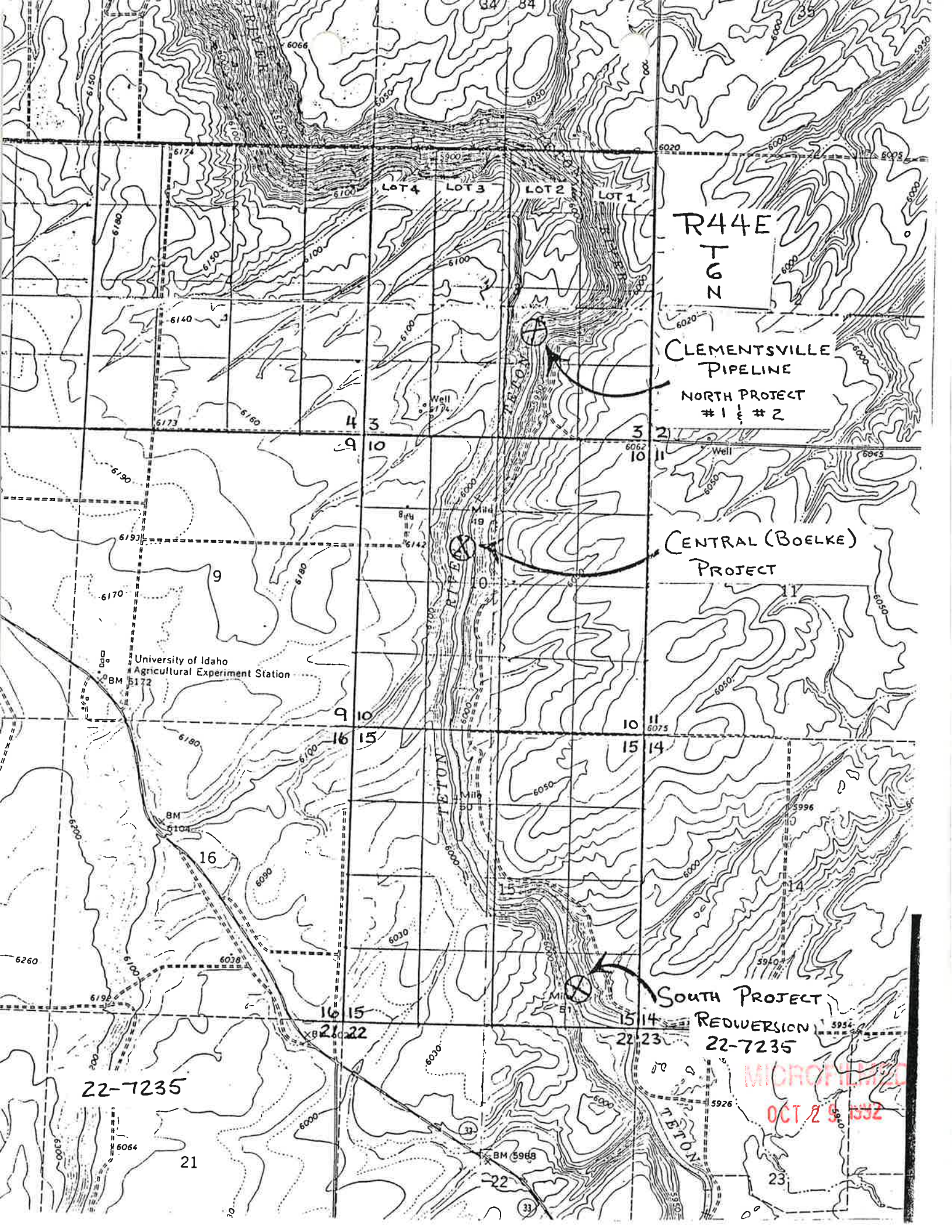
SCALE 1:24 000

A22-07186



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OCT 29 1992



R44E
T6N

CLEMENTSVILLE
PIPELINE
NORTH PROJECT
#1 & #2

CENTRAL (BOELKE)
PROJECT

SOUTH PROJECT
REDIVERSION
22-7235

MICROFILMED
OCT 29 1992

University of Idaho
Agricultural Experiment Station

22-7235

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