

06/14/2004

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

RIGHT NUMBER: 22-7369

NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0098

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 106.000 CFS

PRIORITY DATE: 06/19/1981

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

POINT OF DIVERSION:

T06N R44E S23 SESW End of Stream Flow Within TETON County

T07N R44E S20 NWNE Begin of Stream Flow Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM INSTREAM FLOW	1/01 12/31	106.000 CFS

PLACE OF USE: MINIMUM INSTREAM FLOW Within TETON County

T07N R44E S20 NWNE

Place of use under this water right is the course of the Teton River from the Point of Beginning to the Point of Ending.

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.

EXPLANATORY MATERIAL: Permit



FEB 10 2005

SCANNED

State of Idaho

Department of Water Resources

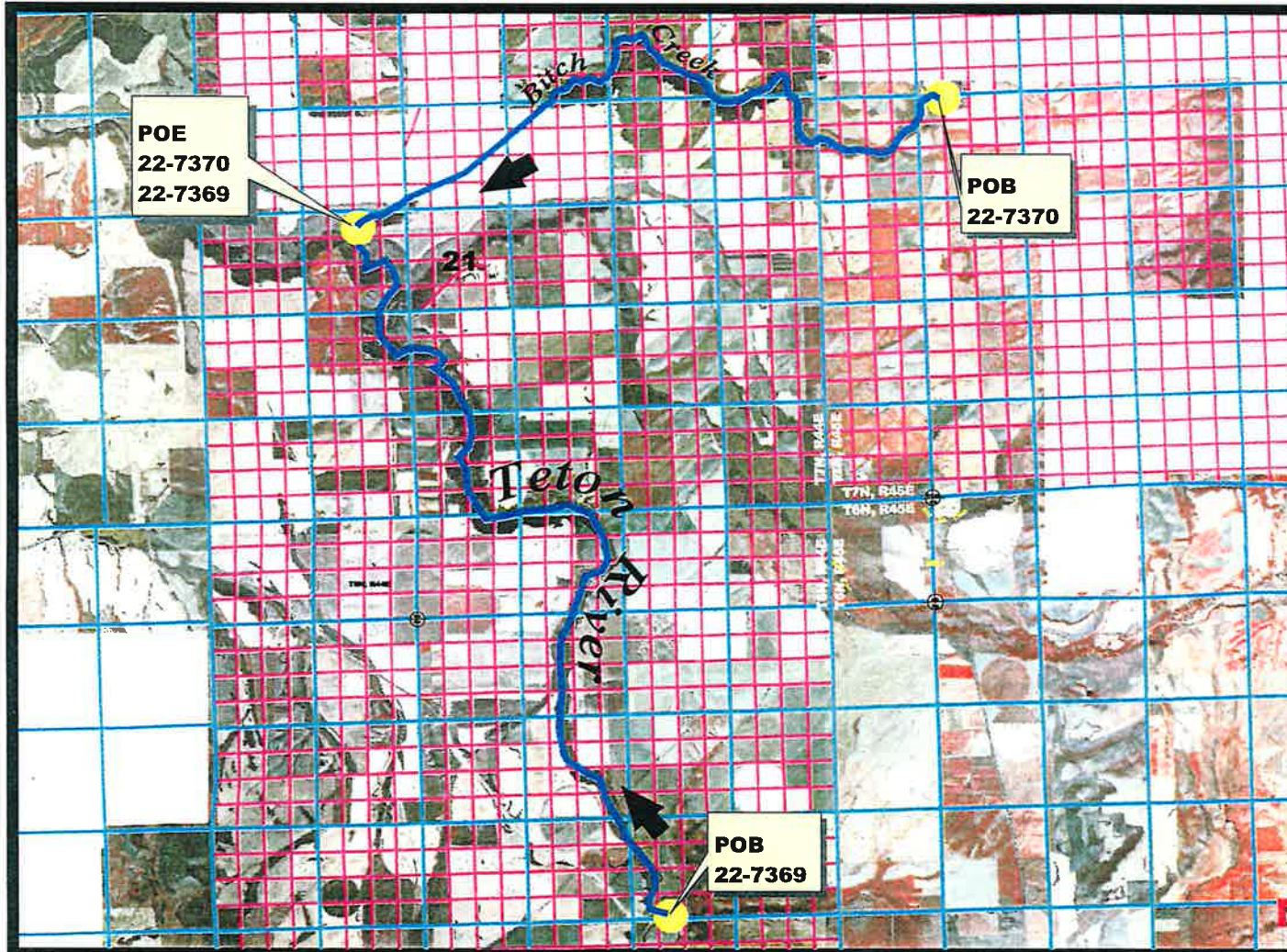
Eastern Region

PROFILED

SCANNED

MAR 28 2005

Connection
3/28/05
Version
ASR



5280 0 5280 10560 15840 21120 26400 31680 36960 42240 47520 52800 Feet

Water Right(s):

22-7369, 22-7370

Point(s) of Diversion:

22-7369

T6N, R44E Sec. 23 SESW (POB)

T7N, R44E Sec. 20 NWNE (POE)

22-7370

T7N, R44E Sec. 20 NWNE (POE)

T7N, R45E Sec. 17 NWNW (POB)

**Place of Use: Stream course from
POB to POE.**

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2004

06/14/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7369

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0098
Telephone Number: (208)327-7900

RECEIVED

MAR 28 2005

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

RECEIVED

MAR 18 2005

Department of Water Resources
Adjudication Bureau

SCANNED
APR 06 2005

PROFILED

06/14/2004

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

RIGHT NUMBER: 22-7369
NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0098

SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 106.000 CFS

PRIORITY DATE: 06/19/1981

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POINT OF DIVERSION:
T06N R44E S23 SESW End of Stream Flow Within TETON County
T07N R44E S20 NWNE Begin of Stream Flow Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINIMUM INSTREAM FLOW	1/01 12/31	106.000 CFS

PLACE OF USE: MINIMUM INSTREAM FLOW Within TETON County
T07N R44E S20 NWNE

Place of use under this water right is the course of the Teton River from the Point of Beginning to the Point of Ending.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

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SCANNED
APR 06 2005



FEB 10 2005

SCANNED

State of Idaho

Department of Water Resources

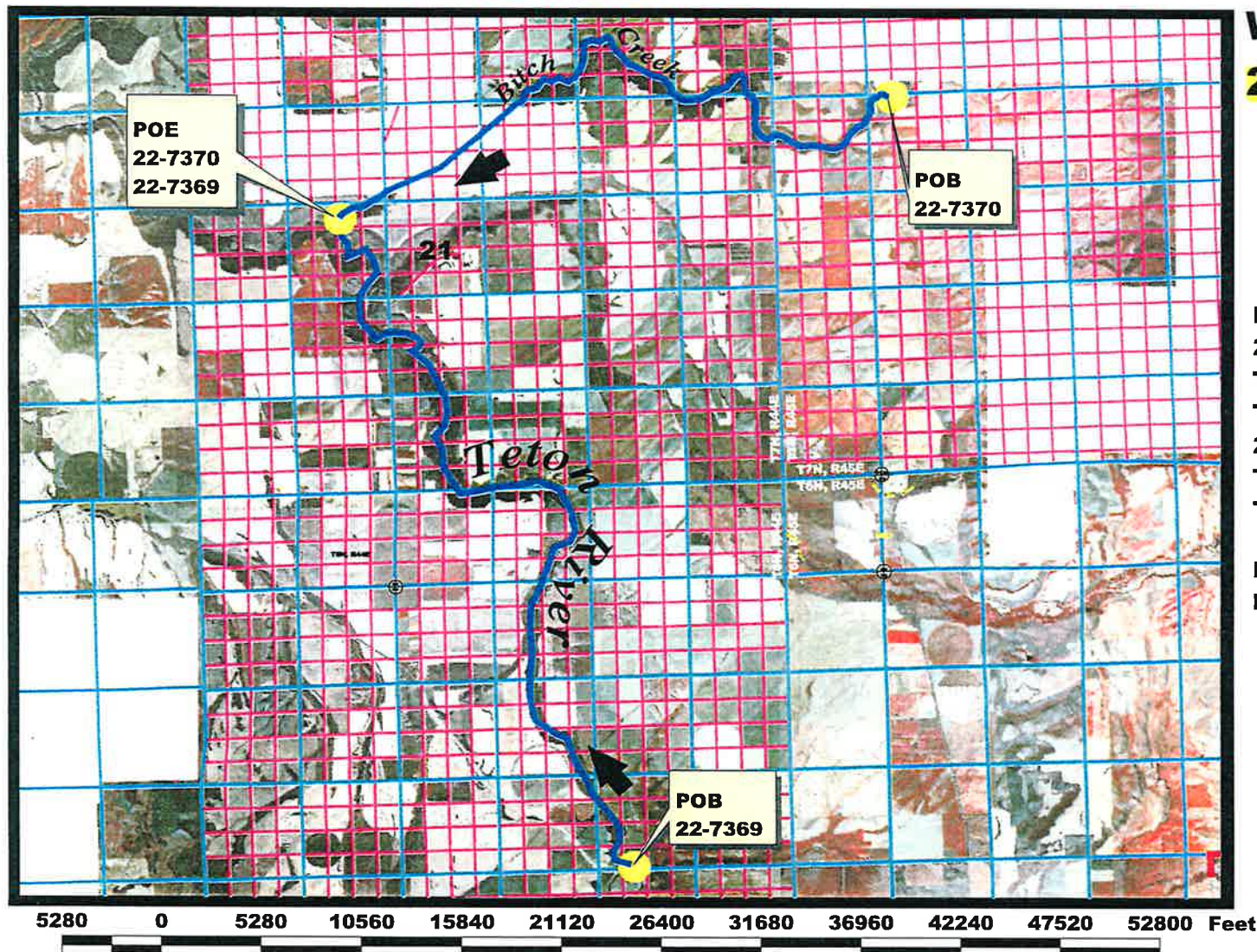
Eastern Region

PROFILED

SCANNED

MAR 28 2005

*Connected Version
3/28/05*



Water Right(s):

22-7369, 22-7370

Point(s) of Diversion:

22-7369

T6N, R44E Sec. 23 SESW (POB)

T7N, R44E Sec. 20 NWNE (POE)

22-7370

T7N, R44E Sec. 20 NWNE (POE)

T7N, R45E Sec. 17 NWNW (POB)

**Place of Use: Stream course from
POB to POE.**

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2004

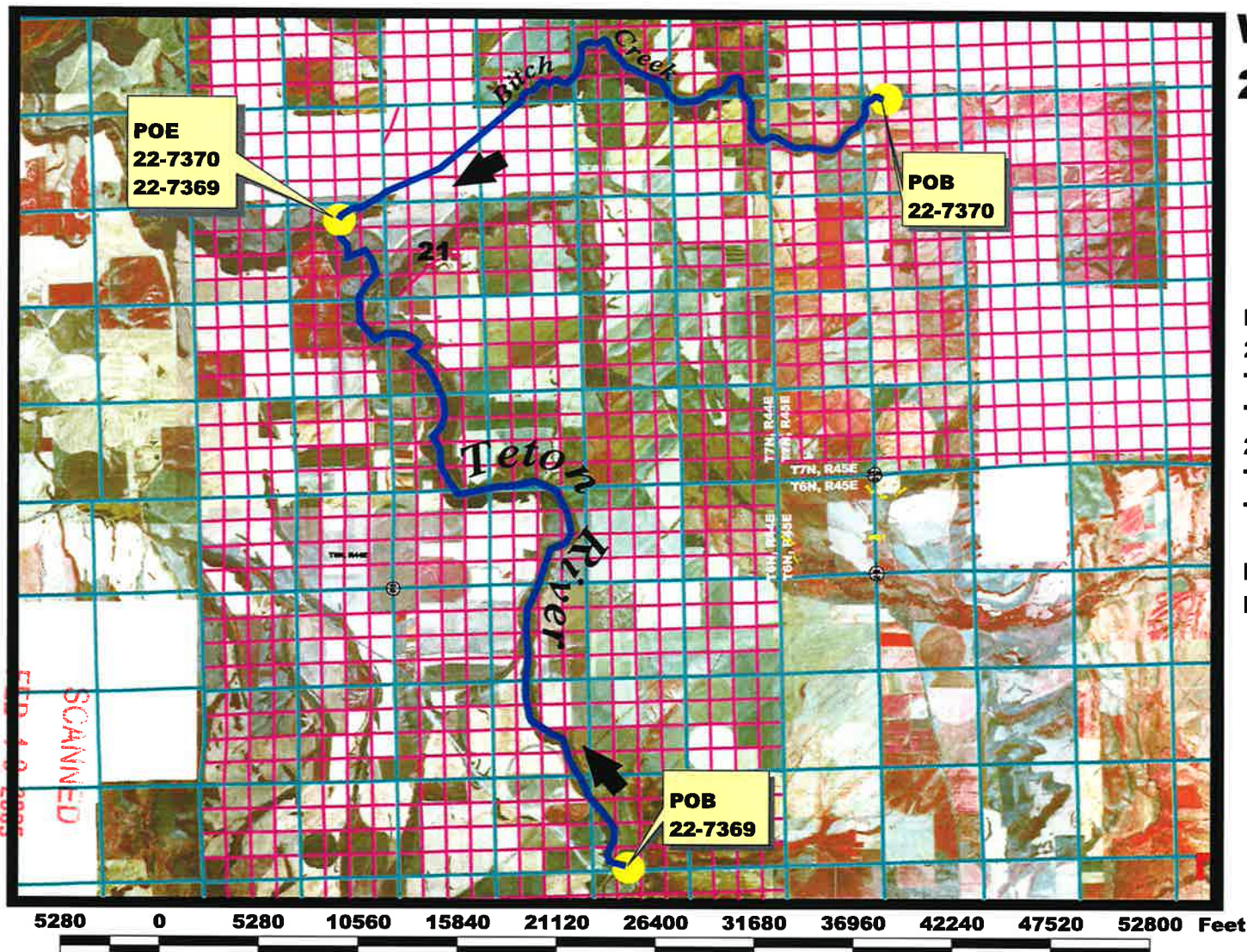


PROPOSED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-7369, 22-7370

Point(s) of Diversion:

22-7369

T6N, R44E Sec. 23 SESW (POB)

T7N, R44E Sec. 20 NWNE (POE)

22-7370

T7N, R44E Sec. 20 NWNE (POB)

T7N, R45E Sec. 17 NWNW (POE)

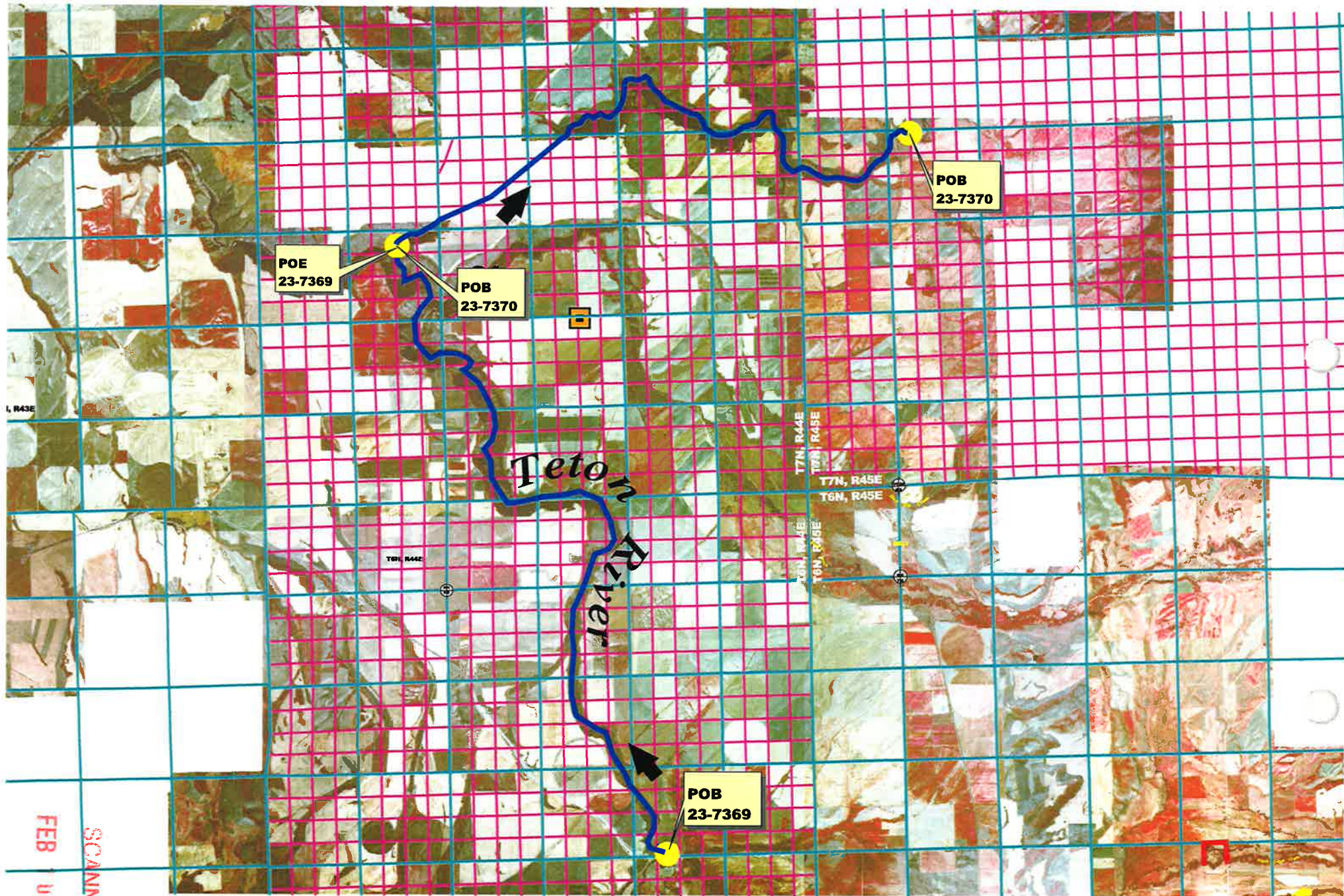
Place of Use: Stream course from
POB to POE.

LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2004



Water Right(s): 22-7369 and 22-7370

NOTES:

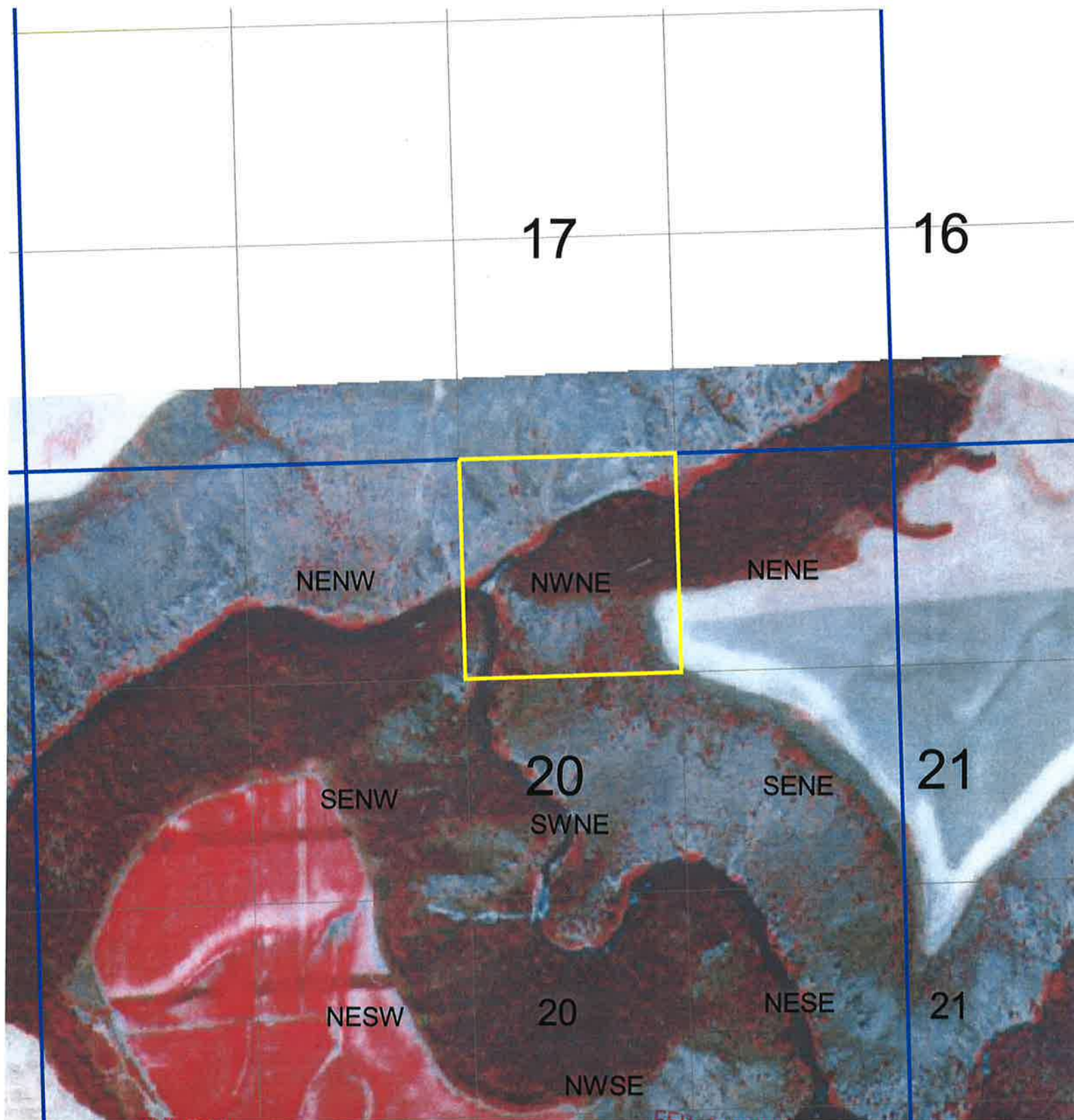
EXAM MAP

Basin 22 Project

Examiner: _____

Date: _____

22-7369



PROF

FEB 10 2005

FEB 10 2005

Ruberry, Allen

From: Ruberry, Allen
Sent: Friday, June 11, 2004 12:27 PM
To: Shaff, Don
Subject: IDWRB Claims

Don, I have two claims by the Water Resources Board, 22-7369 and 22-7370. Both are minimum stream flow for the same stretch of Teton River. I attach a layout for your perusal.

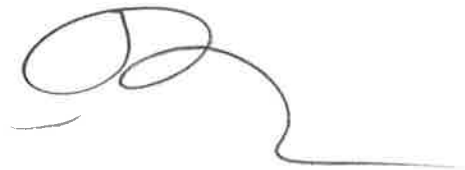


22-idwrb.jpg

Your thoughts as to how I recommend these....

Thx..... al

*Per Don Shaff. recommend as
Permit w/ ACP. Pool AS
River course from POB to POB.*



SCANNED
FEB 10 2005

PROFILED

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: A22-07369
Date Received: 7/11/1991
Receipt No: Fund Transfer # C021672
Received By: *DMB*
8/26/91

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-327-7900
Address: IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
BOISE, ID 83720

2. Date of Priority: JUN 19, 1981

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
Beginning Point of Minimum Instream Flow					
07N	44E	20	NW	NE	TETON
Ending Point of Minimum Instream Flow					
06N	44E	23	SE	SW	TETON

5. Description of diverting works:
GAGING STATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINIMUM INSTREAM FLOW	01/01	12/31	106.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A22-07369

Page

1

Date: 07/11/91

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SCANNED
FEB 10 2005

MICROFILMED
NOV 00 1996

A2207369



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	44E	20	NW NE		MIF	

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
SEE FILE FOR EXTENSIVE CONDITIONS OF APPROVAL.

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 CHAIRMAN of
Title
IDAHO WATER RESOURCE BOARD, that I have signed the foregoing
Organization
document in the space below as CHAIRMAN of
Title
IDAHO WATER RESOURCE BOARD and that the statements contained in the
Organization
foregoing document are true and correct. F. Dan Gdalek
Signature of Authorized Agent
CHAIRMAN, IDAHO WATER RESOURCE
Title and Organization BOARD
7-11-91
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of July 19 91

Karai Smith
Notary Public

Seal

Residing at BOISE, ID

My Commission Expires DEC. 5, 1994

A22-07369

Page 3

MICROFILMED
Date: 07/11/91
NOV 16 1996

PROFILED

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FEB 10 2005