

09/25/2006

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

RIGHT NUMBER: 22-7392

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: 7.180 CFS
1,140.00 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: 03/22/1982

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	7.180 CFS 1,140.00 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 380 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 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 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.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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. 22-07392

Priority: March 22, 1982

Maximum Diversion Rate: 7.18 CFS
Maximum Diversion Volume: 1140.0 AF

This is to certify, that EHCO RANCH
PO BOX 97

TETONIA ID 83452 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 22, 1982; and
has submitted Proof of Beneficial Use on July 19, 1982. 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	7.18 CFS	1140.0 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	4	NWSW 18	SWSW 36		54
		5	NESW 19	NWSW 3	SWSW 4	
			SESW 40	NESE 19	NWSE 19	
			SWSE 40	SESE 40		184
		8	NENE 40	NWNE 39	NEEW 27	
			NWNW 2			108
		9	NWNW 34			34

Total number of acres irrigated: 380

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.

RECORDED

AUG 12 1992

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

WATER RIGHT NO. 22-07392

CONDITIONS/REMARKS:

- ~~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.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
7. 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.
- ~~8.~~ The right holder must obtain adequate supplemental water for the irrigation season when natural flow is not available.
- ~~9.~~ Three points of diversion are located within the SE¹/₄, S10, T6N, R44E. *Boonville P80*

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, 1992.

[Signature]
Acting for R. Keith Higginson, Director

MICROFILMED

AUG 12 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

22-7392

Permit No. _____

DEC 1986

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

☐ Appointment letter mailed:

Department of Water Resources

☐ Telephone call made
(List Telephone No. used)

☐ Appointment scheduled for:
(Date, time, location)

EXAMINATION

Date 10 Aug 1982 Accompanied by Earl Hooper Total Q measured 10.38 cts

Source Teton River Tributary to Snake River Supp. annubar measurement sheet used? No

If source is surface water, estimate total flow of source

Methods of measurement McCrometers

Meets permit requirements? YES

Measurement calculations:

Pump #1 McCrometer (5/8 T3-10-424) 0.001 af in 20 sec = 2.178 cfs = 2.18 cfs

Pump #2 McCrometer (5/8 B2-10-437) 0.001 af in 10 sec = 4.356 cfs = 4.36 cfs

Pump #3 McCrometer (5/8 B2-10-908) 0.001 af in 11.34 sec = 3.841 cfs = 3.84 cfs

Q at 0.02 cfs/sec = 380 sec x 0.02 cfs = 7.6 cfs

Q = 380 sec x 3.0 af in = 1140 af

Q LIMITED BY REMAINING PORTION OF DIVERSION NOT USED = 7.18 cfs

V = 7.18 cfs x 1.9835 x 103 sec/af = 2606.2 cfs

Total Q = 2606.2 cfs - 7.18 cfs = 2599.0 cfs

2599.0 cfs (22-718)

7.18 cfs remaining

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
# 1	150	GE	LKJ1120156	Johnson	N/A	McCrometer	Good	
# 2	300	U.S. Motors	CG654-184	Quora	V 32-7033	McCrometer	Good	
# 3	200	GE	ERT516115	Quora	02385	McCrometer	Good	

System Description Three pumps to mainline to handlines and two center pivots with boosters. System used as Diversion under 22-7181/742/7044A and as Rediversion for Groundwater under 22-7209/7375

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

IRRIGATION

7.18

1140sf

4/15

10/15

Total

7.18

1140af

4/15

10/15

Remarks P/O from Teton River shaved with 22-7181 / ^{B.W.}7209 / ^{G.W.}7375 / 7044A / 7110

RO1 RO4

R29 (22-7375)

DIVERSION thru Central (Boelke) Project

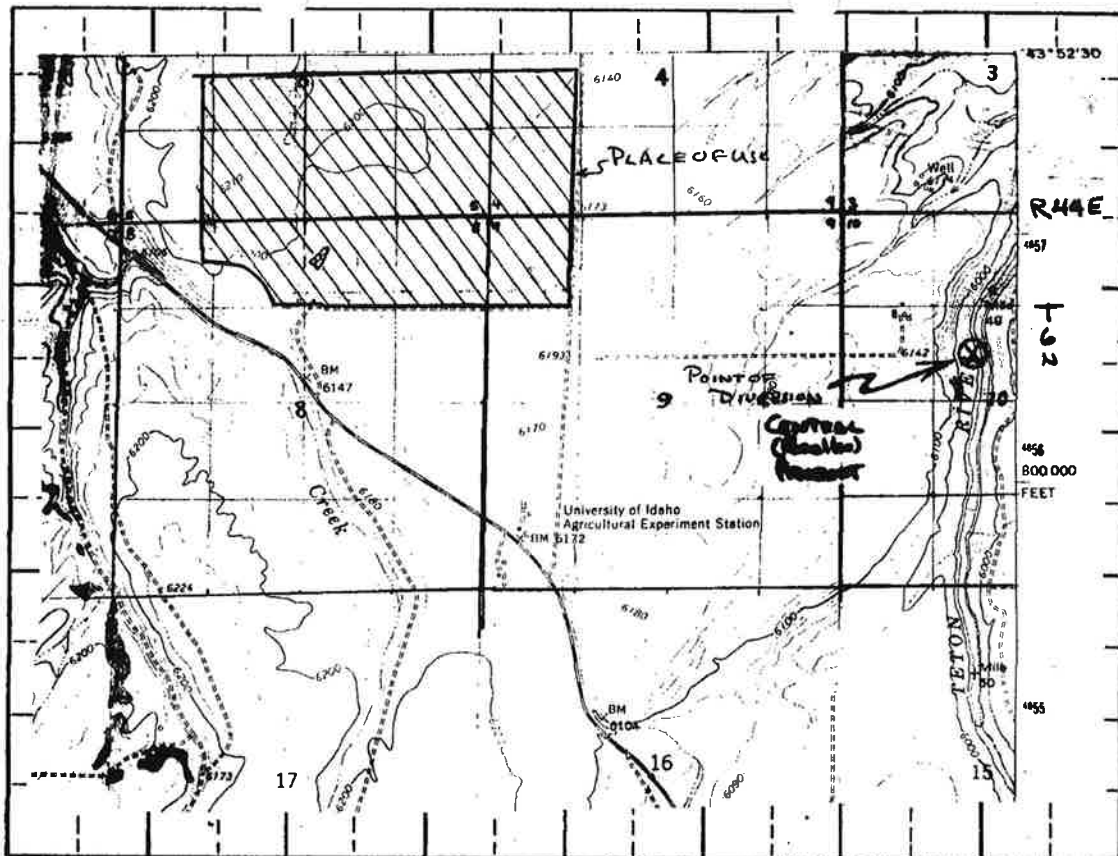
Earl Hoopes owns 100% of Central project

SEE ATTACHED SHEET

MICROFILMED

AUG 12 1992

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

SEE ATTACHED DIAGRAM

Point(s) of diversion: SE 1/4 NW 1/4 Sec 10 T6N R44E

Place(s) of Use

TWP.	RGE.	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	
6N	44E	4										18	36						54
		5									19	3	4	40	19	19	40	40	184
		8	40	39			27	2											108
		9						34											34

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

AUG 12 1992

Examiner's Signature

Checked by

Approved by

Date 10 Aug 1982 / 21 Sept 1984

Date Nov 21 1982

Date 7/20/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Department of Water Resources 22-7392
Permit No.

Overlap Review

- a) Other water rights with same place of use: 22-7375
- b) Other water rights with same point of diversion: 22-7044A / 7110 / 7181 Rediversion for
Groundwater 22-7209 / 7375
- c) Analysis: R01 R04

This right in combination with 22-7044A / 7110 / 7181 / 7209 / 7375 at the Central
(O. Boelke) Project diversion from the Teton River (SE NW Sec 10 T4N R44E) shall not exceed
10.38 cfs.

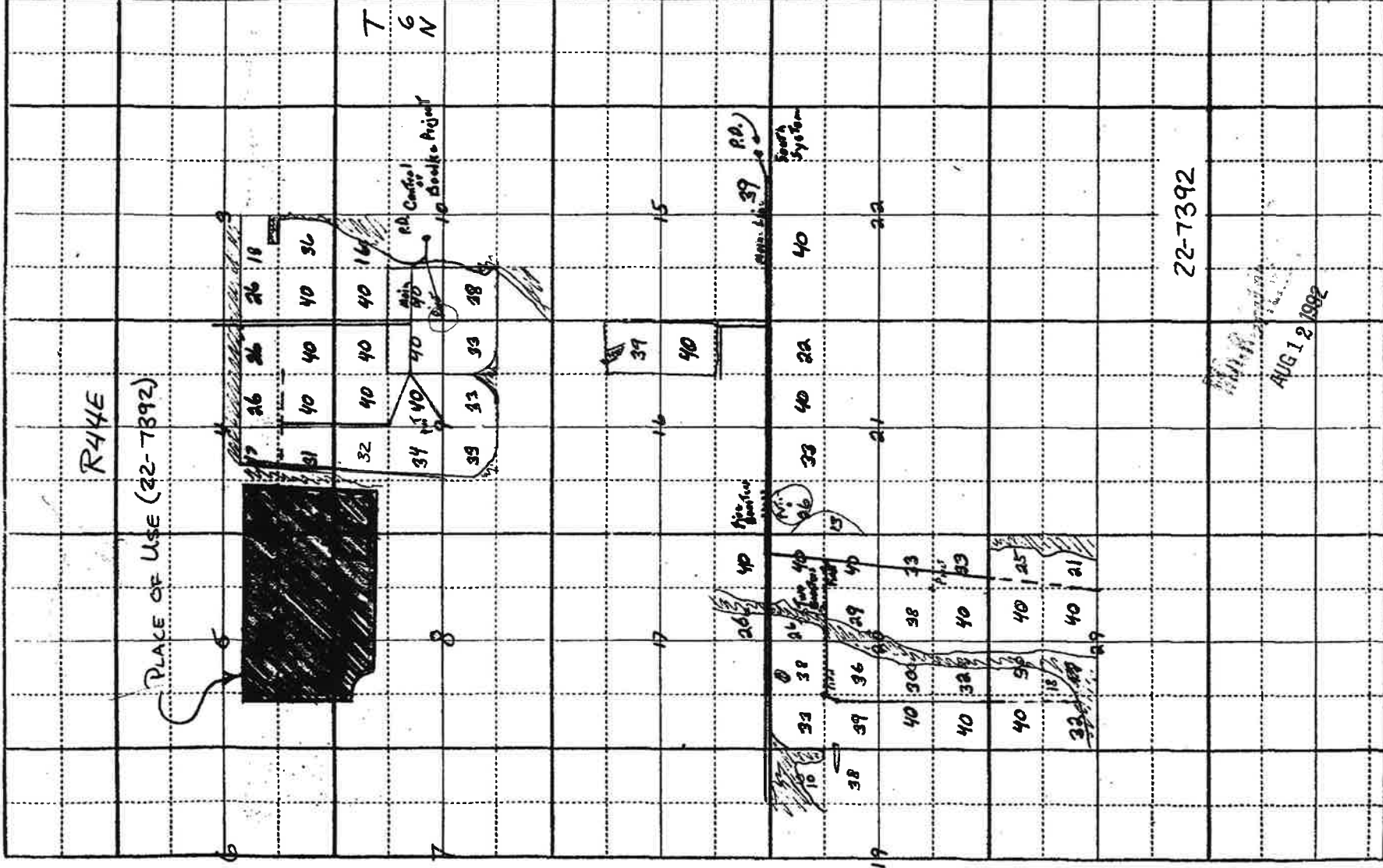
R05 22-7375

$$\text{Total } Q = 10.38 \text{ less } 22-7181 = 10.38 \text{ cfs} - 3.20 \text{ cfs} = 7.18 \text{ cfs}$$

RECEIVED
AUG 12 1992

22-7392

Keith C. Wilson
16 May 1986





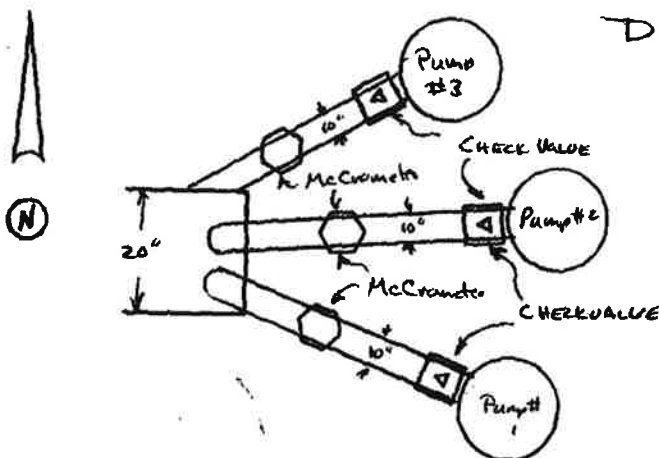
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

22-7392



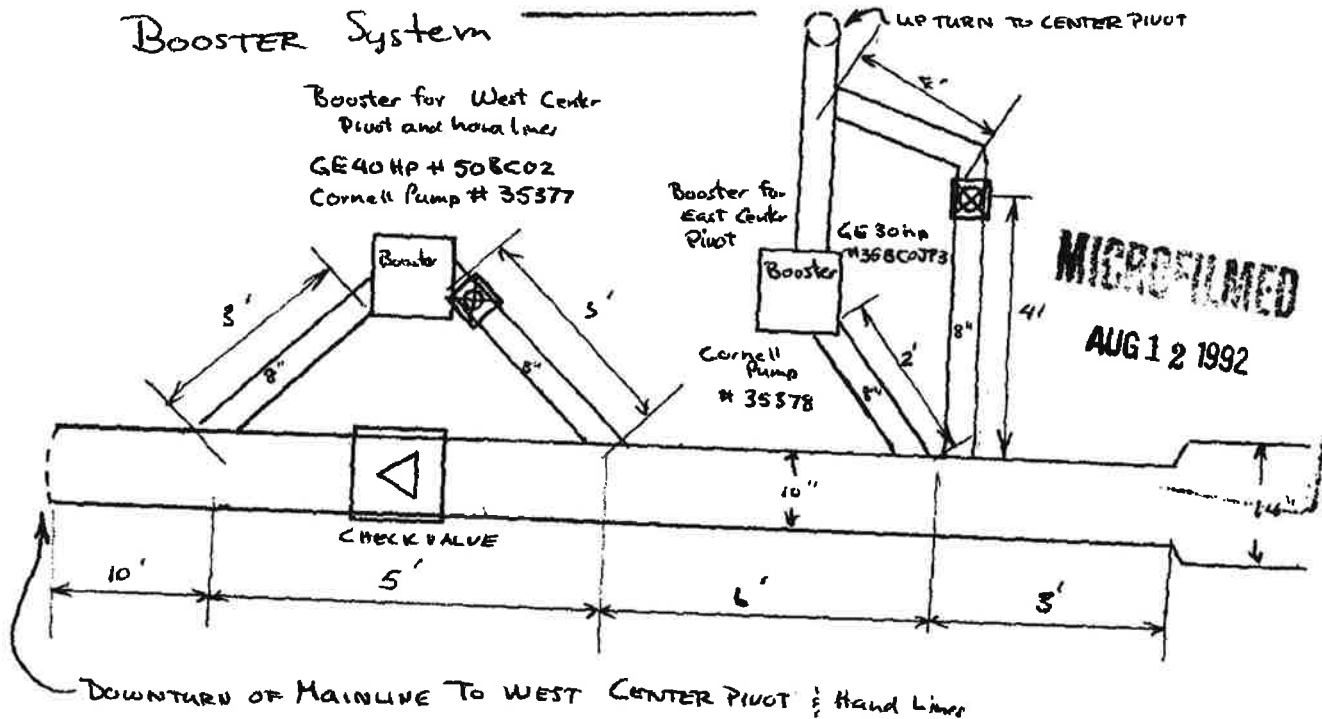
DIVERSION FROM TETON RIVER

CENTRAL (Boelkie) Project

Booster System

Booster for West Center
Pivot and hand lines

GE 40 HP # 508C02
Cornell Pump # 35377



EAST CENTER PIVOT

UP TURN TO CENTER PIVOT

MICROFILMED

AUG 12 1992

DOWN TURN OF MAINLINE TO WEST CENTER PIVOT & Hand Lines

22-7392

CENTRAL OR BOELKE PROJECT

SE 1/4 NW 1/4 SEC 10
T6N R44E BM

22-7181

22-7209

22-7375

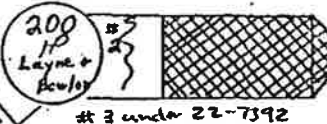
22-7392

EXCH WELLS



(#2 under 22-7181 & 22-7209)

#3



SYSTEM ADDED UNDER 22-7392

#2



#1 under 22-7181 & 22-7209

#1



20' x .250 Wall TO Top of Canyon

#1 G.E. 150 hp Motor
S/N LKJ1120156 CAPACITY 2.18 cfs
Johnston Pump
S/N UNKNOWN

#2 U.S. Motors 300 hp Motor
S/N CG6564-184 CAPACITY 4.36 cfs
Aurora Pump
S/N V32-70633

#3 G.E. 200 hp 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

RECEIVED

AUG 12 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 22-7392
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: 03/22/1982

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	4/15	10/15	7.18	1140

7. Total Quantity Appropriated is:
7.18 C.F.S. and/or 1140 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	4	NW SW	IRRIGATION	18
			SW SW	IRRIGATION	36
				Section Acres	54

06N	44E	5	NE	SW	IRRIGATION	19
			NW	SW	IRRIGATION	3
			NE	SE	IRRIGATION	19
			NW	SE	IRRIGATION	19
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			SW	SW	IRRIGATION	4
			SE	SW	IRRIGATION	40
					Section Acres	184
06N	44E	8	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	39
			NE	NW	IRRIGATION	27
			NW	NW	IRRIGATION	2
					Section Acres	108
06N	44E	9	NW	NW	IRRIGATION	34
					Section Acres	34
					Total Acres	380

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:

14. Remarks:

PLACE OF USE CONSISTS OF COMPANY STOCKHOLDERS LAND

15. Basis of Claim: License

Receipt Number E029559

Department of Justice
Criminal Justice

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) March 22, 1982
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 7.18 cfs or _____
7. Total quantity claimed (a) 7.18 (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.) _____

10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	44E	4										18	36						54
		5									19	3	4	40	19	19	40	40	184
		8	40	39			27	2											108
		9						34											34

Total number of acres irrigated 380

11. In which county(ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

Place of Use consists of lands of stockholders of the company

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree License X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President of Teton Pipeline Association, Inc., that I have signed the foregoing document in the space below as President of Teton Pipeline Association, Inc., and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Mark R. Ricks

Title and Organization President, Teton Pipeline Association, Inc. Date 2/20/04

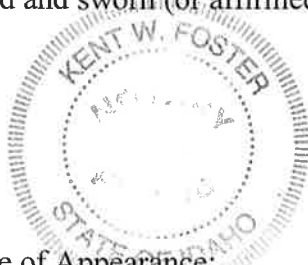
Last Name Teton Pipeline Association, Inc. Ident. Number 22-7392

State of Idaho

) SS.

County of Bonneville

Subscribed and sworn (or affirmed) before me this 22 day of February, 2002.



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\Claim7392.wpd:cdv