

12/04/2006

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

RIGHT NUMBER: 22-13389

NAME AND ADDRESS: TETON WEST IRRIGATION CO INC
C/O LAUREN SOMPAYRAC
PO BOX 132
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 4.280 CFS
1,473.500 AFY

Right Nos. 22-13395 and 22-13389 are limited to a total combined annual diversion volume of 1473.5 AF.

PRIORITY DATE: 08/22/1977

POINT OF DIVERSION:

T05N R45E S1 NESWNE Within TETON County
T05N R45E S1 SENWSE Within TETON County
T05N R45E S2 NWSENE Within TETON County
T05N R46E S5 NESWNW Within TETON County
T05N R46E S6 NESENW Within TETON County
T05N R46E S6 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

4.280 CFS
1,473.50 AFY

PLACE OF USE:

Large Place of Use

1467 ACRES TOTAL

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.

The rights listed below are limited to the irrigation of a combined total of 1467 acres in a single irrigation season. Combined Right Nos.: 22-225, 22-226, 22-307A, 22-308, 22-347A, 22-348A, 22-349A, 22-382A, 22-582A, 22-583A, 22-618, 22-7042, 22-7206, 22-7261A, 22-13395, and 22-13389.

Right Nos. 22-13389 and 22-13395 are limited to the irrigation of a combined total of 421 acres 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 22-7255.

Prior to diversion of water under Transfer 4750, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Teton West Irrigation Co Inc

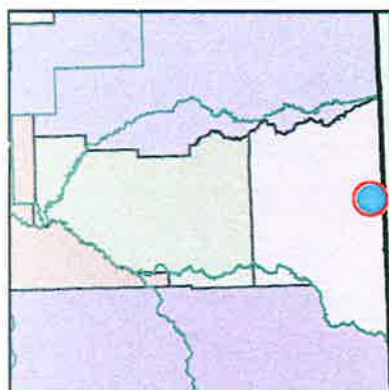
SRBA Recommendations: 22-225, 22-226, 22-307A, 22-308, 22-347A, 22-348A, 22-349A, 22-382A, 22-582A, 22-583A, 22-618, 22-7042, 22-7206, 22-7261A, 22-13389, 22-13395



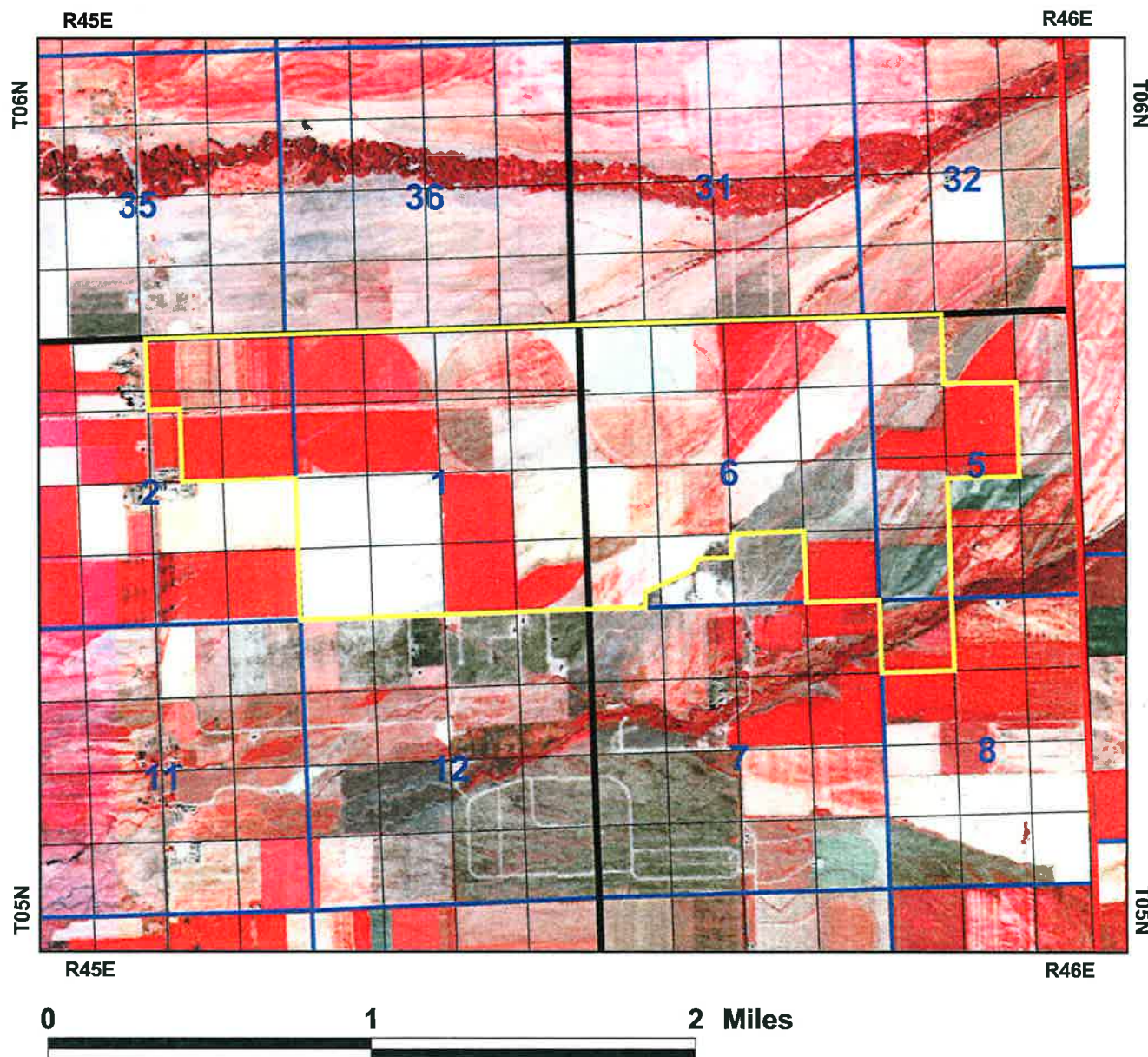
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



Prepared by K. Moore
On Monday, December 4, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07255

Priority: August 22, 1977 Amount: 5.83 CFS

This is to certify, that COMMUNICATIONS INVESTMENT CORP.

312 E. S. TEMPLE

SALT LAKE CITY, ID 84111

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 22, 1977, and has submitted proof to the Department of Water Resources on September 29, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 5.830 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/15 to 10/15	5.83 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 1, Township 05N, Range 45E
NWSW , Sec. 1, Township 05N, Range 45E
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>
05N	45E	1	LOT 3(NENW) 38	LOT 4(NWNW) 38	SWNW 39	
			SEnw 39	NESW 40	NWSW 40	
			SWSW 39	SESW 39		312
		2	LOT 1(NENE) 38	LOT 2(NWNE) 12	SWNE 20	
			SENE 39	NESE 40	NWSE 36	
			SWSE 38	SESE 39		262

Total number of acres irrigated: 574

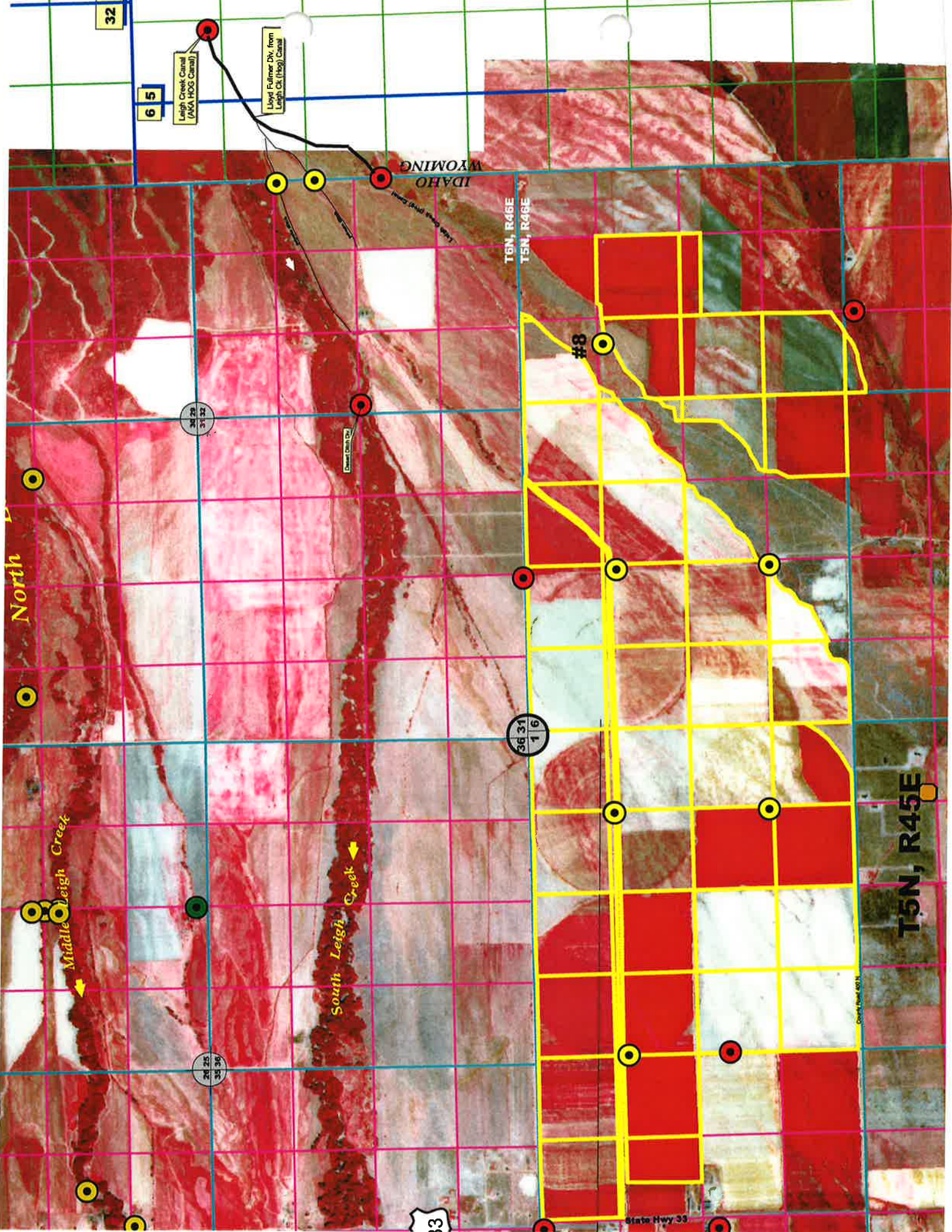
CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The combined annual volume of water under this right & Right 22-2267 shall not exceed 1722.0 afa.

MICROFILMED

MAY 09 1989

Modify



North

IDAHO
WYOMING

T6N, R46E
T5N, R46E

#8

36 31
1 6

T5N, R45E

Middle Leigh Creek

South Leigh Creek

Leigh Creek Canal
(AKA HOS Canal)

Lloyd Fullmer Div. from
Leigh Cr. (Hwy) Canal

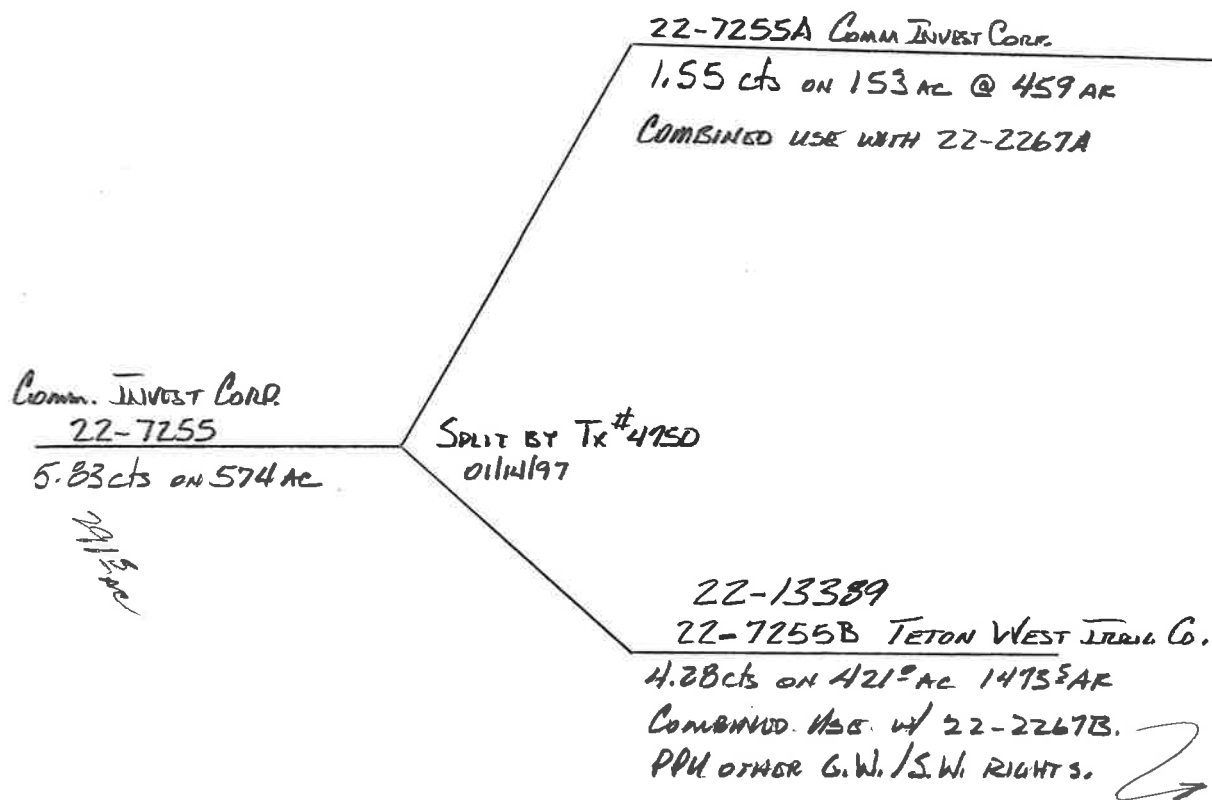
32

6 5

33

State Hwy 33

WATER RIGHT SPLIT HISTORY
OF SRBA CLAIM 22-7255



22-13390 COMM INVEST CORP.

1.36 cfs ON 134⁵ AC @ 403⁵ AF
W/SPLIT FROM 22-2267A

22-13391 M.E. Uphoff

0.05 cfs ON 5⁰ AC @ 15 AF
W/SPLIT FROM 22-2267A

22-13392 J. Uphoff

0.04 cfs ON 4⁰ AC @ 12 AF
W/SPLIT FROM 22-2267A

22-13393 M.J. Uphoff

0.05 cfs ON 4⁵ AC @ 13⁵ AF
W/SPLIT FROM 22-2267A

22-13394 P. ANDERSON

0.05 cfs ON 5⁰ AC @ 15 AF
W/SPLIT FROM 22-2267A

5/4/05
c/o letter sent
to NEW IDA LTD PARTS

→ 22-13595

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 22-13389
Date Received: 5/25/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

TETON WEST IRRIGATION CO INC Phone:
C/O LAUREN SOMPAYRAC
PO BOX 132
DRIGGS ID USA 83422

2. Date of Priority: 08/22/1977

3. Source: GROUND WATER , GROUND WATER , GROUND WATER , GROUND WATER , GROUND WATER
, GROUND WATER Trib. to: , , , , ,

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County	Type
05N	46E	5	NE	SW	NW		TETON	
05N	45E	1	SE	NW	SE		TETON	
05N	45E	1	NW	SW	NW		TETON	
05N	46E	6	SW	NW	SE		TETON	
05N	45E	1	NW	SW	NE ✓		TETON	
05N	46E	6	NE	SE	NW		TETON	

5. Description of diverting works:

6 INTERCONNECTED WELLS SUPPLY WATER TO COMMON MAINLINE/SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4.28	1473.5

7. Total Quantity Appropriated is:

4.28 C.F.S. and/or 1473.5 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
05N	45E	1	NE	NE		IRRIGATION	38
			NW	NE		IRRIGATION	38
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	38
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40

			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	39
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	39
			SW	NW	IRRIGATION	40
					Section Acres	628
05N	45E	2	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	38
			SW	NE	IRRIGATION	26
			SE	NE	IRRIGATION	40
					Section Acres	142
05N	46E	5	NE	NW	IRRIGATION	20
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	10
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
					Section Acres	228
05N	46E	6	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	38
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	38
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	38
			SE	SW	IRRIGATION	20
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	610
05N	46E	8	NW	NW	IRRIGATION	5
					Section Acres	5
					Total Acres	1613

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:

This right is a split from former right 22-7255 .
PAID UNDER RECEIPT NO. E002882.

15. Basis of Claim: License

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 _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____