

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84362**

This is to certify that: **GRAND TETON CANAL CO LTD**
PO BOX 1099
DRIGGS, ID 83422

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-11973B	WR/DECREED	10/31/1903	0.470 cfs	N/A	N/A	20.0	TETON CREEK
22-11981	WR/DECREED	4/15/1925	12.000 cfs	N/A	N/A	320.0	TETON CREEK
22-12277	WR/DECREED	10/31/1903	0.240 cfs	N/A	N/A	11.7	TETON CREEK
22-12279	WR/DECREED	6/1/1899	0.120 cfs	N/A	N/A	13.0	TETON CREEK
22-13338	WR/DECREED	10/31/1903	1.600 cfs	N/A	N/A	73.0	TETON CREEK
22-13611	WR/DECREED	6/1/1899	1.130 cfs	N/A	97.0	113.0	TETON CREEK
22-13613	WR/DECREED	4/1/1987	0.210 cfs	21.2 af	N/A	113.0	TETON CREEK
22-13788	WR/DECREED	10/31/1903	8.360 cfs	N/A	N/A	413.0	TETON CREEK
22-153	WR/DECREED	6/1/1899	0.800 cfs	N/A	N/A	11.9	TETON CREEK
22-249A	WR/DECREED	6/1/1899	0.900 cfs	N/A	45.0	52.0	TETON CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-11973B	NO	YES	NO	NO	NO	NO
22-11981	NO	YES	NO	NO	NO	NO
22-12277	NO	YES	NO	NO	NO	NO
22-12279	NO	YES	NO	NO	NO	NO
22-13338	NO	YES	NO	NO	NO	NO
22-13611	NO	YES	NO	NO	NO	NO
22-13613	NO	YES	NO	NO	NO	NO
22-13788	NO	YES	NO	NO	NO	NO
22-153	NO	YES	NO	NO	NO	NO
22-249A	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-11973B	22-11973B	0.470 cfs	N/A	N/A	20.0	N/A	N/A	N/A	N/A	N/A
22-11981	22-11981	12.000 cfs	N/A	N/A	320.0	N/A	N/A	N/A	N/A	N/A
22-12277	22-12277	0.240 cfs	N/A	N/A	11.7	N/A	N/A	N/A	N/A	N/A
22-12279	22-12279	0.120 cfs	N/A	N/A	13.0	N/A	N/A	N/A	N/A	N/A
22-13338	22-13338	1.600 cfs	N/A	N/A	73.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 84362

**Support Data
In File # 22-153**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84362

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-13611	22-13611	1.130 cfs	N/A	97.0	113.0	N/A	N/A	N/A	N/A	N/A
22-13613	22-13613	0.210 cfs	21.2 af	N/A	113.0	N/A	N/A	N/A	N/A	N/A
22-13788	22-13788	8.360 cfs	N/A	N/A	413.0	N/A	N/A	N/A	N/A	N/A
22-153	22-153	0.800 cfs	N/A	N/A	11.9	N/A	N/A	N/A	N/A	N/A
22-249A	22-249A	0.900 cfs	N/A	45.0	52.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		25.830 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 8th day of December, 2020.



Regional Manager

Transfer No. 84362

Support Data
In File # 22-153

WATER RIGHT NO. 22-11973B

As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-11973B is now described as follows:

Right Holder: TETON VALLEY ASSN LLC
100 S 200 W
DRIGGS, ID 83422

Priority Date: 10/31/1903

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.470 cfs

0.470 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	23												20.0					20.0

POU Total Acres: 20.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Water is delivered through Grand Teton Canal.
4. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
5. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
6. This approval does not constitute a water right from the State of Wyoming that may be required.

Transfer No. 84362

WATER RIGHT NO. 22-11973B
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-13788
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-13788 is now described as follows:

Right Holder: DRIGGS ACQUISITION LLC
 97 N HWY 33
 DRIGGS, ID 83422

Priority Date: 10/31/1903

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

8,360 cfs

8,360 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	22		37.0	40.0						40.0				39.0	40.0	40.0	40.0	276.0
05N	45E	23											38.0	19.0					57.0
05N	45E	27		40.0	40.0														80.0

POU Total Acres: 413.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Water is delivered through Grand Teton Canal.
4. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
5. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

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WATER RIGHT NO. 22-13788

As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

6. This approval does not constitute a water right from the State of Wyoming that may be required.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-13338
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-13338 is now described as follows:

Right Holder: TETON VALLEY ASSOC LLC
 100 W 200 S
 DRIGGS, ID 83422

Priority Date: 10/31/1903

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to 10/31

To

Diversion Rate

1.600 cfs

1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	23								35.0	38.0								73.0

POU Total Acres: 73.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Water is delivered through Grand Teton Canal.
4. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
5. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
6. This approval does not constitute a water right from the State of Wyoming that may be required.

Transfer No. 84362

WATER RIGHT NO. 22-13338
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 22-249A

As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-249A is now described as follows:

Right Holder: ASPEN MEADOWS SUBDIVISION
C/O WILLIAM NESBIT
PO BOX 347
DRIGGS, ID 83422

Priority Date: 6/1/1899

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to 10/31

To

Diversion Rate

0.900 cfs

0.900 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	25				9.0									7.0	18.0	18.0		52.0

Right Acre Limit: 45.0

POU Total Acres: 52.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 45 acres within the authorized place of use in a single irrigation season.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Water is delivered through Grand Teton Canal.
5. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.

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WATER RIGHT NO. 22-249A
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

6. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
7. This approval does not constitute a water right from the State of Wyoming that may be required.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-153
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-153 is now described as follows:

Right Holder: DRIGGS ACQUISITION LLC
 97 N HWY 33
 DRIGGS, ID 83422

Priority Date: 6/1/1899

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION
 MITIGATION

From

04/15
 04/15

to 10/31
 to 10/31

To

Diversion Rate

0.230 cfs
 0.570 cfs
 0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	27													11.9				11.9

POU Total Acres: 11.9

PLACE OF USE: MITIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	27													X				

CONDITIONS OF APPROVAL

1. Rights 22-153 and 22-11981 when combined shall not exceed the irrigation of 320 acres.
2. This right provides mitigation for Rights 22-13416, 22-13417, 22-13418, 22-13419, 22-13420, 22-13421, 22-13422, 22-13423, 22-13424, 22-13425, 22-13426, 22-13427 and 22-13428.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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WATER RIGHT NO. 22-153
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

5. Water is delivered through Grand Teton Canal.
6. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
7. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
8. This approval does not constitute a water right from the State of Wyoming that may be required.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-12277
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-12277 is now described as follows:

Right Holder: V RICH CHRISTENSEN
 915 W 19TH ST
 TEMPE, AZ 85281

Priority Date: 10/31/1903

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.240 cfs

0.240 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	46E	20							9.6				2.1						11.7

POU Total Acres: 11.7

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Water is delivered through Grand Teton Canal.
4. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
5. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
6. This approval does not constitute a water right from the State of Wyoming that may be required.

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WATER RIGHT NO. 22-12277

As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-12279
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-12279 is now described as follows:

Right Holder: V RICH CHRISTENSEN
 915 W 19TH ST
 TEMPE, AZ 85281

Priority Date: 6/1/1899

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.120 cfs

0.120 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	25											13.0						13.0

POU Total Acres: 13.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Water is delivered through Grand Teton Canal.
4. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
5. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
6. This approval does not constitute a water right from the State of Wyoming that may be required.

Transfer No. 84362

WATER RIGHT NO. 22-12279
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-11981

As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-11981 is now described as follows:

Right Holder: DRIGGS ACQUISITION LLC
97 N HWY 33
DRIGGS, ID 83422

Priority Date: 4/15/1925

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

12.000 cfs

12.000 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	27							40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			320.0

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. Rights 22-153 and 22-11981 when combined shall not exceed the irrigation of 320 acres.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Water is delivered through Grand Teton Canal.
5. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
6. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

Transfer No. 84362

WATER RIGHT NO. 22-11981
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

7. This approval does not constitute a water right from the State of Wyoming that may be required.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-13611
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-13611 is now described as follows:

Right Holder: DRIGGS ACQUISITION LLC
 97 N HWY 33
 DRIGGS, ID 83422

Priority Date: 6/1/1899

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

1.130 cfs

1.130 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	26							40.0	16.0	17.0	40.0							113.0

Right Acre Limit: 97.0

POU Total Acres: 113.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 97 acres within the authorized place of use in a single irrigation season.
2. Rights 22-13611 and 22-13613 when combined shall not exceed a total diversion rate of 1.13 cfs and the irrigation of 113 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Right No. 22-13613 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Water is delivered through Grand Teton Canal.

Transfer No. 84362

WATER RIGHT NO. 22-13611
As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

7. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
8. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
9. This approval does not constitute a water right from the State of Wyoming that may be required.
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-13613
As Modified by Transfer No. 84362

In accordance with the approval of Transfer No. 84362, Water Right No. 22-13613 is now described as follows:

Right Holder: DRIGGS ACQUISITION LLC
97 N HWY 33
DRIGGS, ID 83422

Priority Date: 4/1/1987

Source: TETON CREEK

Tributary: TETON RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to 10/31

To

Diversion Rate

0.210 cfs

0.210 cfs

Diversion Volume

21.2 af

21.2 af

LOCATION OF POINT(S) OF DIVERSION

TETON CREEK L1 (NENWNE) Sec 20 Twp 05N Rge 46E TETON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	26							40.0	16.0	17.0	40.0							113.0

POU Total Acres: 113.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 16 acres within the place of use described for this right.
2. Rights 22-13611 and 22-13613 when combined shall not exceed a total diversion rate of 1.13 cfs and the irrigation of 113 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right is based upon an enlargement of Right No. 22-13611 pursuant to Section 42-1426, Idaho Code.

Transfer No. 84362

WATER RIGHT NO. 22-13613

As Modified by Transfer No. 84362

CONDITIONS OF APPROVAL

6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. Water is delivered through Grand Teton Canal.
8. The point of diversion for this water right is in Wyoming, T44N R118W, Section 29 NWNW. The point of diversion shown above is where the conveyance system enters Idaho.
9. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted therefrom as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
10. This approval does not constitute a water right from the State of Wyoming that may be required.
11. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 8, 2020

GRAND TETON CANAL CO LTD
PO BOX 1099
DRIGGS ID 83422

Re: Transfer No: 84362

Water Right No(s): 22-153, 22-249A , 22-11973B , 22-11981, 22-12277, 22-12279, 22-13338,
22-13611, 22-13613, 22-13788

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure

CC:

ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130

DRIGGS ACQUISITION LLC
97 N HWY 33
DRIGGS ID 83422

ASPEN MEADOWS SUBDIVISION
C/O WILLIAM NESBIT
PO BOX 347
DRIGGS ID 83422

TETON VALLEY ASSN LLC
100 S 200 W
DRIGGS ID 83422

V RICH CHRISTENSEN
915 W 19TH ST
TEMPE AZ 85281

TETON VALLEY ASSOC LLC
100 W 200 S
DRIGGS ID 83422

CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84362

Water Right No(s): 22-153, 22-249A , 22-11973B , 22-11981, 22-12277, 22-12279, 22-13338, 22-13611, 22-13613, 22-13788

**GRAND TETON CANAL CO LTD
PO BOX 1099
DRIGGS ID 83422**

**ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130**

**DRIGGS ACQUISITION LLC
97 N HWY 33
DRIGGS ID 83422**

**ASPEN MEADOWS SUBDIVISION
C/O WILLIAM NESBIT
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DRIGGS ID 83422**

**TETON VALLEY ASSN LLC
100 S 200 W
DRIGGS ID 83422**

**V RICH CHRISTENSEN
915 W 19TH ST
TEMPE AZ 85281**

**TETON VALLEY ASSOC LLC
100 W 200 S
DRIGGS ID 83422**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.