

2002

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

TC- 22-03

IN THE MATTER OF APPLICATION FOR)
TEMPORARY CHANGE OF A WATER RIGHT)
22-7208, 22-7209, 22-7211, 22-7221, 22-7295,))
22-7216, 22-7223, 22-7235, 22-7360, 22-7375,))
& 22-7504 IN THE NAME OF TETON PIPELINE ASSN. INC.)

**ORDER DENYING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Madison County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, *Idaho Code*; and

WHEREAS, on July 30, 2002, Teton Pipeline Assn. Co. submitted the attached Temporary Change Application ("Application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application cannot be approved for the following reasons;

ORDER

IT IS HEREBY ORDERED that the application is **DENIED** for the following reasons:

1. The proposed Temporary Change Application constitutes an enlargement of the water right described on the application.
2. The proposed Temporary Change Application cannot be administered to prevent injury to other water users.
3. The proposed Temporary Change Application cannot be regulated.

DATED this 15th day of August, 2002


RONALD D CARLSON
EASTERN REGION MANAGER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant TETON PIPELINE ASSN. INC c/o Mark Ricks Phone 456-2801

Post Office Address P.O. Box 272, Tetonica ID 83452

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof INJECTING GROUND WATER INTO TETON RIVER TO FLOW TO HENRYS FORK. FREMONT MADISON WILL RE-DIVERT WATER AT THEIR DISCRETION FOR USE WITH-IN DISTRICT

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
SEE ATTACHED SHEET 4/15 to 10/15
to
to
to

2. Total amount of water being transferred 52.46 * cubic feet per second and/or _____ acre-feet per annum

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NW	NE	11	6N	40E	Madison	TWO EXCHANGE WELLS # 55316/55318
			SW	SW	15	6N	40E	"	TWO EXCHANGE WELLS # 55324/55326
			SE	SE	25	7N	40E	"	TWO EXCHANGE WELLS # 55198/55199
								"	

5. Lands irrigated or place of use: WITH-IN FREMONT-MADISON IRRIGATION DISTRICT

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

6. General Information:

- a. Who owns the water right to be changed? APPLICANT
- b. Describe the arrangement allowing use of the right Contract of agreement
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
THESE LANDS ARE DRIED UP
- d. Has the water right sought to be transferred been used this year? YES If yes, explain. USED ON LANDS WITH IN TETON PIPELINE
- e. Absent the changes, how would the right be used for the remainder of the year? IRRIGATION WOULD CONTINUE
- f. Describe other water rights used for the same purpose.
SURFACE WATER RIGHTS IN TETON PIPELINE WILL BE USED ON REMAINING ACRES
- g. Remarks: THE AMOUNT OF WATER BEING TRANSFERRED SHALL NOT EXCEED 52.46cfs

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Jack Hoops (Signature of applicant)
Jack Hoops

FOR DEPARTMENT USE ONLY

Received by KCW Date 7/30/2002 Fee \$50.00

Received KCW # E028018 Recommend: approve ☒ deny ☐

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____.

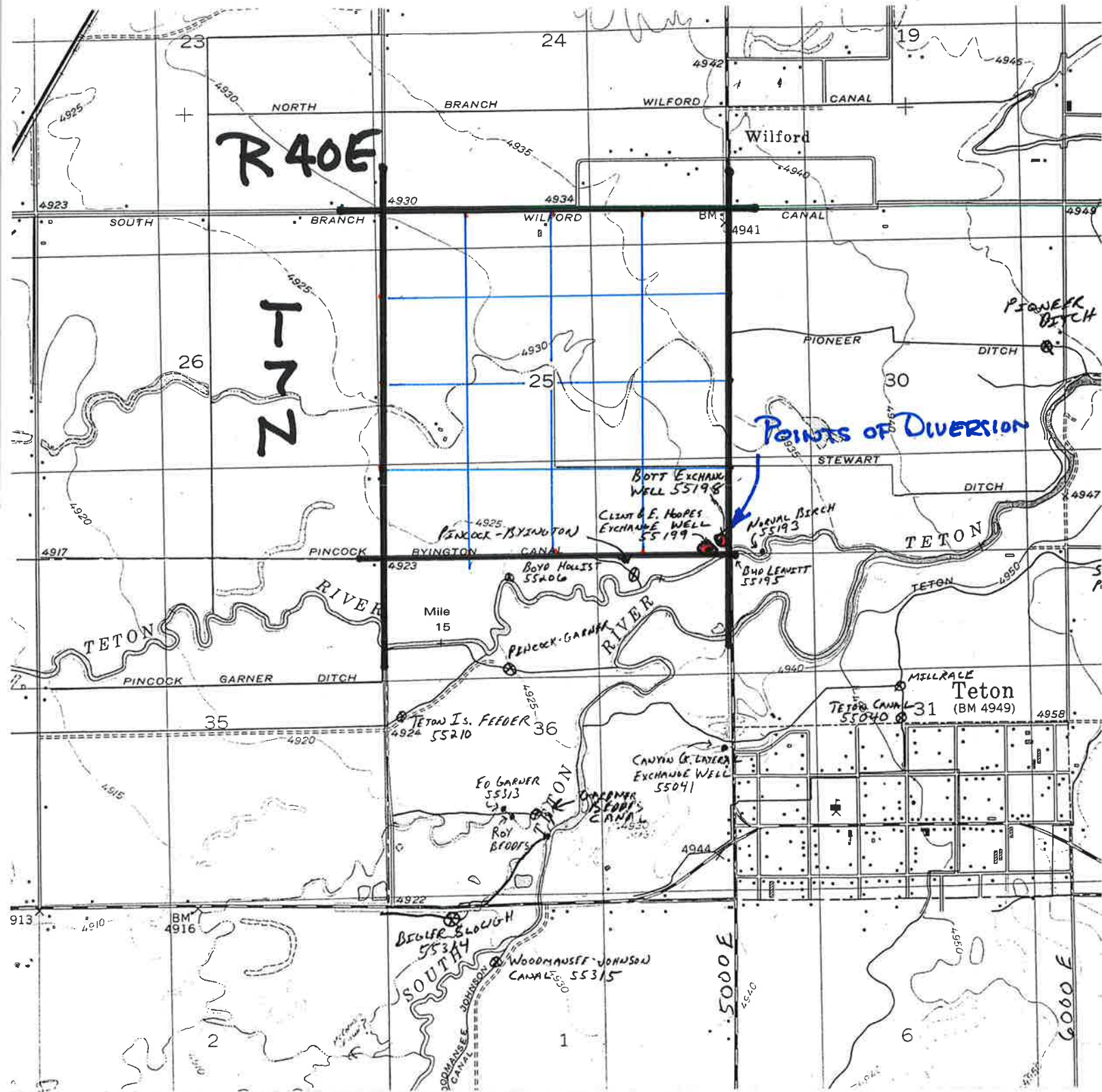
For the Director

<u>Basin</u>	<u>Sequence #</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Diversion</u>	<u>Source List</u>	<u>Owner List</u>
22	7208	License	2/10/1977	9.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7209	License	2/10/1977	9.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7211	License	2/22/1977	6.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7216	License	3/4/1977	4.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7221	License	4/14/1989	3.44	GROUND WATER	TETON PIPELINE ASSN INC
22	7223	License	4/5/1977	7.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7235	License	6/7/1977	6.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7295	License	6/12/1979	3.36	GROUND WATER	TETON PIPELINE ASSN INC
22	7360	License	4/14/1981	2.00	GROUND WATER	TETON PIPELINE ASSN INC
22	7375	License	8/17/1981	12.44	GROUND WATER	TETON PIPELINE ASSN INC
22	7504	License	7/1/1985	6.30	GROUND WATER	TETON PIPELINE ASSN INC

<u>Basin Number</u>	<u>Sequence Number</u>	<u>Diversion Rate</u>	<u>Combined</u>	<u>Cumulative</u>	<u>Source Table</u>
22	7208	9.00	9.00	9.00	wrWaterRight
22	7209	9.00	9.00	18.00	wrWaterRight
22	7211	6.00			wrWaterRight
22	7221	3.44			wrWaterRight
22	7295	3.36	10.07	28.07	wrWaterRight
22	7216	4.00			wrWaterRight
22	7223	7.00			wrWaterRight
22	7235	6.00			wrWaterRight
22	7360	2.00	11.95	40.02	wrWaterRight
22	7375	12.44			wrWaterRight
22	7504	6.30	12.44	52.46	wrWaterRight
Total				52.46	

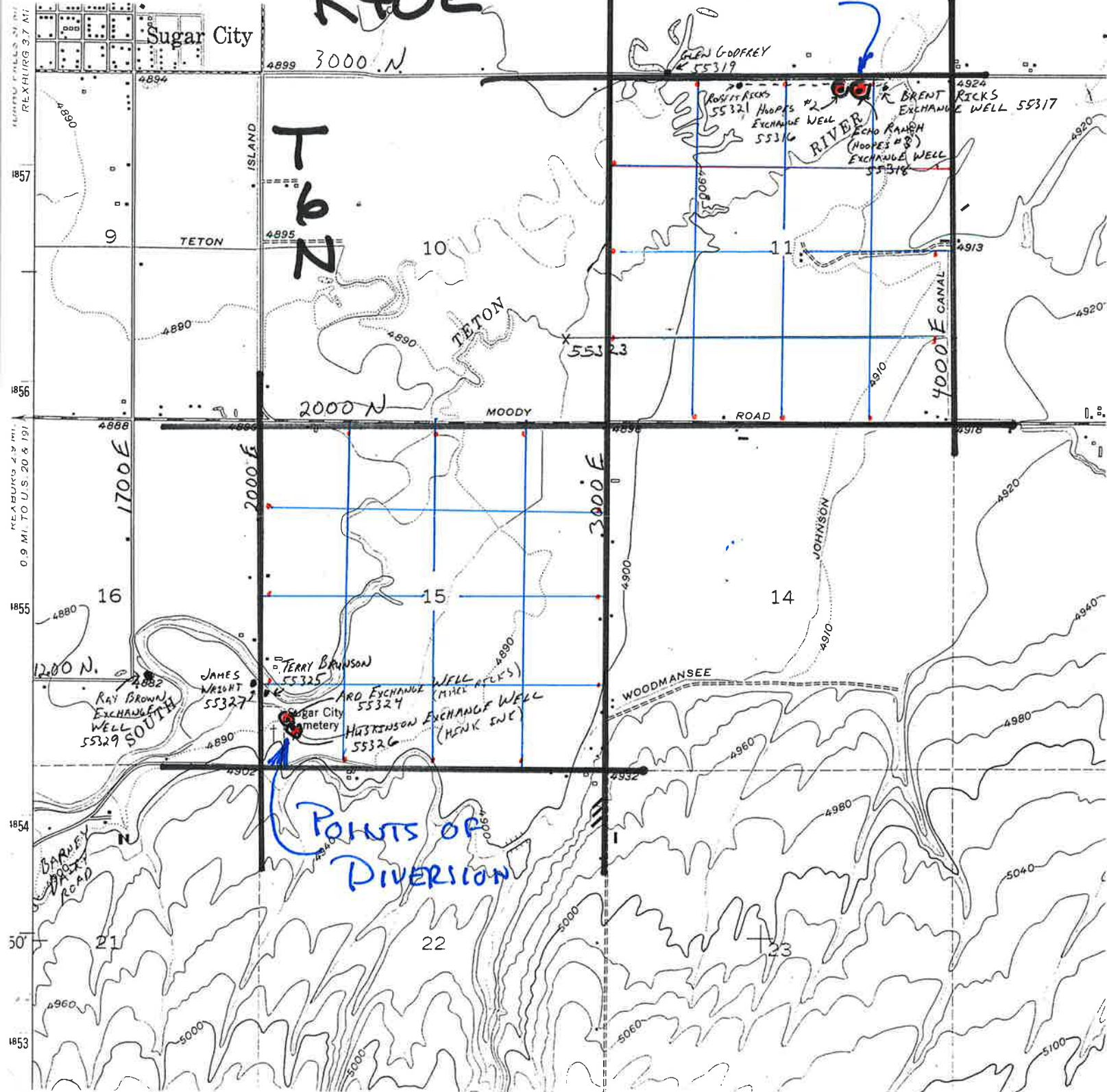
Teton Pipeline Temporary Transfer

2/2002



R40E

Points of Diversion



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7208

TC-22-03

WATER RIGHT NUMBER: 22-7208

Owner TypeName and Address

Current Owner

TETON PIPELINE ASSN INC

Priority Date: 02/10/1977

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

9.000 CFS

3,284.70 AF

Total Diversion:

9.000 CFS

3,284.70 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4

Sec. 25, Twp 07N, Rge 40E, B.M.

FREMONT County

GROUND WATER

NE1/4NE1/4

Sec. 11, Twp 06N, Rge 40E, B.M.

MADISON County

GROUND WATER

NW1/4SE1/4

Sec. 3, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

GROUND WATER

SE1/4SE1/4

Sec. 15, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 3		5.0	35.0				40.0	40.0	12.0	12.0				4.4			148.4
		L 2															
06N 44E 4		28.0	40.0	40.0	20.0			18.0	8.0				12.0	12.0			178.0
		L 2			L 3												
06N 44E 5							30.0			35.0							65.0
06N 44E 7			31.0					28.0	21.0		19.0		13.0	36.0	40.0	16.0	204.0
06N 44E 8						8.0	25.0	13.0	40.0	40.0	40.0	40.0					206.0
07N 43E 33	40.0	34.0	34.0	40.0									40.0	34.0	34.0	40.0	296.0
07N 43E 34	33.0	33.0	33.0	33.0	33.0	40.0	40.0	33.0					19.0	33.0	35.0	39.0	404.0
07N 43E 35									12.0	23.0	35.0	26.0					96.0
07N 44E 28										6.0	30.0	1.0					37.0
07N 44E 29									30.0	29.0	38.0	39.0	27.0	40.0	39.0	36.0	278.0

Total Acres: 1912.4

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. **Water is rediverted from the South Pipe and Clementsville (North 1 and 2) Projects of the Teton Pipeline irrigation system.**

Comments: TRANSFER 5200 - changes the place of use under Rights 22-07120 & 22-07208.Dates and Other Information: Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7209

TC-22-03

WATER RIGHT NUMBER: 22-7209

Owner TypeName and Address

Current Owner

TETON PIPELINE ASSN INC

Priority Date: 02/10/1977

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

9.000 CFS

3,284.70 AF

Total Diversion:

9.000 CFS

3,284.70 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4

Sec. 25, Twp 07N, Rge 40E, B.M.

FREMONT County

GROUND WATER

NE1/4NE1/4

Sec. 11, Twp 06N, Rge 40E, B.M.

MADISON County

GROUND WATER

SE1/4SE1/4

Sec. 15, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

GROUND WATER

SE1/4NW1/4

Sec. 10, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 3									18.0	26.0	40.0	36.0					120.0
06N 44E 4									17.0			31.0	26.0	26.0	40.0	40.0	180.0
06N 44E 9	40.0	40.0	40.0	40.0	32.0			34.0	33.0				33.0	33.0			325.0
06N 44E 10					16.0	40.0	40.0		38.0								134.0
06N 44E 16				35.0	10.0	35.0	39.0	30.0	20.0	37.0	28.0	20.0	37.0	5.0			296.0
06N 44E 17														26.0	40.0		66.0
06N 44E 19				38.0													38.0
06N 44E 20	40.0	26.0	29.0	40.0	38.0	33.0	39.0	36.0	30.0	40.0	40.0	32.0	33.0	38.0	40.0	33.0	567.0
06N 44E 21	22.0	40.0			33.0	26.0	17.0										138.0
06N 44E 22					40.0												40.0
06N 44E 29	25.0	40.0			30.0	40.0	32.0	18.0									185.0

Total Acres: 2089

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. **Water is rediverted from the Central Project of the Teton Pipeline irrigation system for irrigation of lands in Sections 3, 4, 9 and 10; water is rediverted from the South Pipe Project of the Teton Pipeline system for irrigation of the remaining lands listed above.**

Comments:Dates and Other Information: Licensed Date: 9/16/1997

Water Right Report 22-7211

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7221

WATER RIGHT NUMBER: 22-7221

Owner TypeName and Address

Current Owner

TETON PIPELINE ASSN INC

Priority Date: 04/14/1989

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

3.440 CFS

1,255.50 AF

Total Diversion:

3.440 CFS

1,255.50 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4

Sec. 25, Twp 07N, Rge 40E, B.M.

FREMONT County

GROUND WATER

NW1/4SE1/4

Sec. 3, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07N	44E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			39.0	39.0			39.0	39.0	39.0	40.0	40.0	38.0	37.0	39.0	39.0	38.0			466.0

Total Acres: 466

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. **The combined rate of diversion under this right and Right Nos. 22-07211 and 22-07295 shall not exceed 10.07 cfs. Water is rediverted from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.**

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7295

WATER RIGHT NUMBER: **22-7295**Owner TypeName and Address

Current Owner

TETON PIPELINE ASSN INC

Priority Date: 06/12/1979

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

3.360 CFS

Total Diversion: 3.360 CFSLocation of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4

Sec. 3, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

GROUND WATER

SE1/4SE1/4

Sec. 25, Twp 07N, Rge 40E, B.M.

FREMONT County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 43E 2		13.0	3.0		28.0	33.0	38.0	32.0		18.0	1.0						166.0
		L 2			L 3	L 4											
06N 43E 3	33.0	32.0	29.0	37.0	32.0	25.0	16.0	25.0	33.0	18.0	40.0	40.0	33.0	40.0	38.0	5.0	476.0
	L 1	L 2			L 3	L 4											
07N 43E 34									39.0	40.0	40.0	39.0					158.0

Total Acres: 800

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. The combined annual volume of water under this right and Right No. 22-07211 shall not exceed 2800.0 acre feet. Water is rediverted from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7216

WATER RIGHT NUMBER: **22-7216**

Owner Type Name and Address
 Current Owner TETON PIPELINE ASSN INC

Priority Date: 03/04/1977 Basis: License Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	4.000 CFS	1,459.90 AF
	<u>Total Diversion:</u>	4.000 CFS	1,459.90 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4SW1/4 Sec. 15, Twp 06N, Rge 40E, B.M.
 MADISON County

GROUND WATER NW1/4SE1/4 Sec. 3, Twp 06N, Rge 44E, B.M.
 TETON County (Rediversion)

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 43E 25									33.0	40.0	37.0	33.0					143.0
07N 43E 26	33.0	33.0	39.0	40.0	16.0	25.0	38.0	36.0	40.0	39.0	18.0	40.0	40.0	40.0	40.0	39.0	556.0
07N 43E 27				3.0									23.0			12.0	38.0
07N 43E 35					37.0	35.0	39.0	35.0									146.0

Total Acres: 883

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained to a depth of 150 feet to prevent interference with shallow wells and recharge to the river. **Water is rediverted from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.**

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7223

WATER RIGHT NUMBER: 22-7223

Owner Type Name and Address
 Current Owner TETON PIPELINE ASSN INC

Priority Date: 04/05/1977 Basis: License Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	7.000 CFS	2,520.00 AF
	<u>Total Diversion:</u>	7.000 CFS	2,520.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 15, Twp 06N, Rge 40E, B.M.
MADISON County		
GROUND WATER	NW1/4SE1/4	Sec. 3, Twp 06N, Rge 44E, B.M.
TETON County	(Rediversion)	

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 5					36.0	38.0											74.0
					L 4												
06N 44E 6	24.0	34.0		7.0													65.0
	L 1		L 2														
07N 44E 30	35.0	35.0	35.0	35.0									35.0	35.0	35.0	35.0	280.0
07N 44E 31	39.0	32.0	37.0	34.0									39.0	40.0	40.0	40.0	301.0

Total Acres: 720

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and nointerference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. **Water is rediverted from the Clementsville (North 1 and 2) Project of the Teton Pipeline Irrigation system.**

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7235

WATER RIGHT NUMBER: 22-7235

Owner Type Name and Address
 Current Owner TETON PIPELINE ASSN INC

Priority Date: 06/07/1977 Basis: License Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	6.000 CFS	2,189.80 AF
	<u>Total Diversion:</u>	6.000 CFS	2,189.80 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 15, Twp 06N, Rge 44E, B.M.
TETON County	(Rediversion)	
GROUND WATER	SW1/4SW1/4	Sec. 15, Twp 06N, Rge 40E, B.M.
MADISON County		

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 6									2.0	30.0	15.0						47.0
06N 44E 7					38.0	15.0			L 6	L 7							53.0
06N 44E 8			38.0	36.0									34.0	25.0	23.0	25.0	181.0
06N 44E 17	20.0	40.0	32.0	28.0					40.0	35.0	36.0	40.0	36.0	22.0			329.0
06N 44E 18													40.0	38.0	18.0	30.0	126.0

Total Acres: 736

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained to a depth of 150 feet to prevent interference with shallow wells and recharge to the river. **The maximum combined rate of diversion under this right and Right Nos. 22-07216, 22-07223 and 22-07360 shall not exceed 11.95 cfs. Water is rediverted from the South Pipe Project of the Teton Pipeline irrigation system.**

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7360

WATER RIGHT NUMBER: **22-7360**Owner TypeName and Address

Current Owner

TETON PIPELINE ASSN INC

Priority Date: 04/14/1981

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

2.000 CFS

729.90 AF

Total Diversion:

2.000 CFS

729.90 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4

Sec. 15, Twp 06N, Rge 40E, B.M.

MADISON County

GROUND WATER

NW1/4SE1/4

Sec. 3, Twp 06N, Rge 44E, B.M.

TETON County

(Rediversion)

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 43E 25									33.0	40.0	37.0	33.0					143.0
07N 43E 26	33.0	33.0	39.0	40.0	16.0	25.0	38.0	36.0	40.0	39.0	18.0	40.0	40.0	40.0	39.0		556.0
07N 43E 27				3.0									23.0			12.0	38.0
07N 43E 35					37.0	35.0	39.0	35.0									146.0

Total Acres: 883

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained to a depth of 150 feet to prevent interference with shallow wells and recharge to the river. **The maximum combined rate of diversion under this right and Right Nos. 22-07216, 22-07223 and 22-07235 shall not exceed 11.95 cfs. Water is rediverted from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.**

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7375

WATER RIGHT NUMBER: **22-7375**

Owner Type Name and Address
 Current Owner TETON PIPELINE ASSN INC

Priority Date: 08/17/1981

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	12.440 CFS	2,684.50 AF
<u>Total Diversion:</u>		12.440 CFS	2,684.50 AF

Location of Point(s) of Diversion

<u>Location of Point(s) of Diversion</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
GROUND WATER MADISON County	NE1/4NE1/4	Sec. 11, Twp 06N, Rge 40E, B.M.	
GROUND WATER TETON County	NW1/4SE1/4 (Rediversion)	Sec. 3, Twp 06N, Rge 44E, B.M.	
GROUND WATER TETON County	SE1/4NW1/4 (Rediversion)	Sec. 10, Twp 06N, Rge 44E, B.M.	

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 4					35.0	38.0			37.0	36.0							146.0
					L 4												
06N 44E 5	36.0	36.0	40.0	40.0	36.0	1.0	2.0	40.0	40.0	4.0	4.0	40.0	40.0	40.0	40.0	40.0	479.0
	L 1	L 2			L 3	L 4											
06N 44E 8	40.0	39.0			27.0	2.0											108.0
06N 44E 9					34.0												34.0

Total Acres: 767

Conditions of Approval:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained to a depth of 150 feet to prevent interference with shallow wells and recharge to the river. Water is rediverted from the Central and Clementsville (North 1 and 2) Projects of the Teton Pipeline irrigation system.

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7504

WATER RIGHT NUMBER: 22-7504

Owner Type Name and Address
 Current Owner TETON PIPELINE ASSN INC

Priority Date: 07/01/1985 Basis: License Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	6.300 CFS	1,102.50 AF
<u>Total Diversion:</u>		6.300 CFS	1,102.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 3, Twp 06N, Rge 44E, B.M.
TETON County	(Rediversion)	
GROUND WATER	NE1/4NE1/4	Sec. 11, Twp 06N, Rge 40E, B.M.
MADISON County		

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	43E	27									39.0	39.0	39.0	40.0					157.0
07N	43E	28													40.0	39.0	40.0	39.0	158.0

Total Acres: 315

Conditions of Approval:

- 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
- R30 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.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. A totalizing measuring device shall be maintained at the exchange well and rediversion pumps from the Teton River. The exchange well must inject water into the Teton River whenever water is being diverted from the river under this right, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. **The rate of diversion under this right in combination with all other water rights from the Clementsville (North 1) Project of the Teton Pipeline irrigation system shall not exceed 28.7 cfs. The maximum combined rate of diversion under this right and Right No. 22-07375 shall not exceed 12.44 cfs.**

Comments:Dates and Other Information:

Licensed Date: 9/16/1997

Memorandum

TC-22-03

TO: File

August 14, 2002

FROM: Keith C. Wilson – Senior Resource Agent – Eastern

RE: Denied Temporary Change TC-22-03, Teton Pipeline Assn. Inc.

- 07/30/2002 - Dale Swensen (Fremont-Madison Irr. Dist.) came in to file the temporary transfer & pay fee. I assisted Dale and informed him that we needed a signature from an officer of the association to sign the form.
- ??/??/2002 - Signed Temporary Transfer came into office.
- 08/13/2002 - Ron Carlson asked me about the temporary transfer that he had on his desk. After reviewing the transfer Ron asked that I complete an order for him to sign denying the temporary transfer.
- 08/14/2002 - Completed the order denying temporary transfer. Ron has been out of the office. Order awaiting Ron's signature.
- 08/15/2002 - Order denying temporary change signed.



Keith C. Wilson
Senior Resource Agent

08/15/2002
Date