

2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT IN THE NAME)
OF 22-7216 et al)
Teton Pipeline)

ORDER AUTHORIZING
TEMPORARY CHANGE
TC-22-02

WHEREAS, a drought emergency has been declared for Fremont & Teton 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 (A 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 or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on 8-16-01 the Applicant submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is APPROVED subject to the following conditions:

1. Diversion and use of right no(s). 22-7616 et al is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a

replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Right(s) 22-7216 et al are limited to the irrigation of a total of lands of Fremont Madison acres Idris. in a single irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval. (If this condition or a similar one is used, describe the required frequency of measurement and when and where to report the amount of measured water).
9. The watermaster of Water District No. 01 is authorized to administer the temporary change approval.
10. This temporary change approval expires on 11-01-01 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 20 day of August, 2001.


AUTHORIZED PERSON
IDWR

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

Post Office address

Teton Pipeline Assoc. c/o Jack Harper Phone 456-2801
Box 272 Teton, 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) therefor

Injecting well water into
the Teton River to flow down to the Henry's Fork. Water will be
redistributed by Fremont-Madison Irrigation district at their discretion
thru-out the District.

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

See attached
Sheet

1. Right Number	Priority	Amount	Nature	Period of Use
				<u>8-01 to 11-01-01</u>
				to
				to
				to

2. Total amount of water being transferred 62.54 cubic feet/second and/or _____ acre-feet per annum.3. Source of water Groundwater tributary to _____4. Point(s) of Diversion: See Attached Maps

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			SW	SW	15	CN	40E		2 wells
			NE	NE	11	CN	40E		2 wells
			SE	SE	25	7N	40E		2 wells

5. Lands irrigated or Place(s) of Use:

Lands under Fremont-Madison Irr

5. Lands irrigated or Place(s) of Use:																			
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total acres _____

2 wells

ID-0605-2		Township: 06N		Range: 40E		Section: 15		Tract: SWSW		Lot: 5	
S	L	R	STATE	O	S	Max # Records		5			
E	O	D	Water	Name	W	T	Priority	Total			
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversions	
---	SWSW	---	---	22-07216	PARKINSON, EDM	O	L	03/04/1977	GROUNDWATER	4.00	
---		---	---		TETON PIPELINE	C					
---	SWSW	---	---	22-07223	ARD, DARRELL	O	L	04/05/1977	GROUNDWATER	7.00	
---		---	---		TETON PIPELINE	C					
---	SWSW	---	---	22-07235	ARD, REX	O	L	06/07/1977	GROUNDWATER	6.00	
---		---	---		ARD, LARRY	O					
---		---	---		TETON PIPELINE	C					
---	SWSW	---	---	22-07360	HINK INC,	O	L	04/14/1981	GROUNDWATER	2.00	
---		---	---		TETON PIPELINE	C					

19.00
cfs

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2 wells

SD-0605-2	Township: 07N	Range: 40E	Section: 25	Tract: SESE	Lot: 6	
S	L R	STATE	O S	Max # Records		
E	O D	Water	Name	W T	Priority	
L	Tract	T V	Right No.	Last, First	N G	
					Date	
					Source	
					Total	
					Diversion	
SESE	22-07221	NELSON, GLEN D	O L	04/14/1989	GROUNDWATER	3.44
SESE	22-07209	TETON PIPELINE	C			
SESE	22-07211	HOOPES, EARL N	O L	02/10/1977	GROUNDWATER	9.00
SESE	22-07211	TETON PIPELINE	C			
SESE	22-07211	BOTT, DE MAR	O L	02/22/1977	GROUNDWATER	6.00
SESE	22-07211	BOTT, TERRY	O			
SESE	22-07295	TETON PIPELINE	C			
SESE	22-07295	BOTT LAND INC,	O L	06/12/1979	GROUNDWATER	3.36
SESE	22-07208	TETON PIPELINE	C			
SESE	22-07208	HOOPES, J CLIN	O L	02/10/1977	GROUNDWATER	9.00
SESE	22-07208	TETON PIPELINE	C			
NESESE	22-12552	ARD, DEE A	C D	07/01/1884	GROUNDWATER	0.04
NESESE	22-12552	ARD, CAROL D	C			

6.80
cfs

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Recorded Flow: wells

Site #

55326 - 10.9 cfs

55318 - 8.4 cfs

55324 - 11.7 cfs

55316 - 11.2 cfs

55198 - 9.36 cfs

55199 - 6.30 cfs

2 wells

SD-0605-2		Township: 06N		Range: 40E		Section: 11		Tract: NENE		Lot: 8	
S	L	R	STATE		O	S	Max # Records		8		
E	O	D	Water	Name	W	T	Priority	Total			
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversions	
NENE				~~22-04012A~~	~~RICKS, ROBERT~~	C	D	04/01/1955	TETON RIVER	2.88	
NENE				~~22-04012B~~	~~RICKS, ROBERT~~	C	D	04/01/1962	TETON RIVER	0.60	
NENE				22-07504	HOOPES, J CLIN	O	L	07/01/1985	GROUNDWATER	6.30	
					TETON PIPELINE	C					
NENE				22-07209	HOOPES, EARL N	O	L	02/10/1977	GROUNDWATER	9.00	
					TETON PIPELINE	C					
NENE				~~22-07247~~	~~RICKS, ROBERT~~	C	L	06/10/1977	GROUNDWATER	5.60	
NENE				22-07375	EHCO RANCH INC	O	L	08/17/1981	GROUNDWATER	12.44	
					HOOPES, CLINT	O					
					TETON PIPELINE	C					
NENE				✓ 22-07208	HOOPES, J CLIN	O	L	02/10/1977	GROUNDWATER	9.00	
					TETON PIPELINE	C					

36.74
cfs

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