

T5200 TETON PIPELINE ASSN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5200
WATER RIGHT NO(S). 22-07120/22-07208

RECEIVED

JAN 19 1999

Department of Water Resources
Eastern Region

This is to certify that: TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 22-07120 : IRRIGATION Priority: 01/14/1975	04/15 to 10/15	5.00 CFS	1652.0 AF
Right No. 22-07208 : IRRIGATION Priority: 02/10/1977	04/15 to 10/15	9.00 CFS	3284.7 AF
TOTAL:		14.00 CFS	4936.7 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 22-07120 : TETON RIVER	HENRYS FORK
Right No. 22-07208 : GROUNDWATER	

LOCATION OF POINT(S) OF DIVERSION:

Right No. 22-07120 :	SESE , Sec. 15, Township 06N, Range 44E TETON County
Right No. 22-07208 :	NENE , Sec. 11, Township 06N, Range 40E MADISON County
	SESE , Sec. 25, Township 07N, Range 40E FREMONT County
Rediversion	NWSE , Sec. 3, Township 06N, Range 44E
Rediversion	SESE , Sec. 15, Township 06N, Range 44E TETON County

TRANSFER NO. 5200
WATER RIGHT NO(S). 22-07120/22-07208

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>
Right No. 22-07120 :						
06N	44E	7	SWNE 31	SENW 28	NESW 21	
			SESW 19	NESE 13	NWSE 36	
			SWSE 40	SESE 16		204
		8	NWNW 8	SWNW 25	SENW 13	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			206
07N	43E	35	NWSW 1	SWSW 35	SESW 26	62
Total number of acres irrigated:						472
Right No. 22-07208 :						
06N	44E	3	Lot 2 (NWNE) 5	SWNE 35	SWNW 40	
			SENW 40	NESW 12	NWSW 12	
			NWSE 4.4			148.4
		4	Lot 2 (NWNE) 28	SWNE 40	SENE 40	
			Lot 3 (NENW) 20	SENW 18	NESW 8	
			NESE 12	NWSE 12		178
		5	SWNW 30	NWSW 35		65
		7	SWNE 31	SENW 28	NESW 21	
			SESW 19	NESE 13	NWSE 36	
			SWSE 40	SESE 16		204
		8	NWNW 8	SWNW 25	SENW 13	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			206
07N	43E	33	NENE 40	NWNE 34	SWNE 34	
			SENE 40	NESE 40	NWSE 34	
			SWSE 34	SESE 40		296
		34	NENE 33	NWNE 33	SWNE 33	
			SENE 33	NENW 33	NWNW 40	
			SWNW 40	SENW 33	NESE 19	
			NWSE 33	SWSE 35	SESE 39	404
		35	NESW 12	NWSW 23	SWSW 35	
			SESW 26			96
44E	28		NWSW 6	SWSW 30	SESW 1	37
	29		NESW 30	NWSW 29	SWSW 38	
			SESW 39	NESE 27	NWSE 40	
			SWSE 39	SESE 36		278
Total number of acres irrigated:						1912.4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
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.

TRANSFER NO. 5200
WATER RIGHT NO(S). 22-07120/22-07208

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 of the transfer.
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.
6. Totalizing measuring devices shall be maintained at all points of diversion under Right 22-07120.
7. The maximum combined rate of diversion under Right 22-07120 and all other rights diverting from the South Pipe Project shall not exceed 15.36 cfs.
8. A total of six pumps are used in the diversion of water under Right 22-07120.
9. No demand on upstream prior rights or existing prior exchanges can be made under Right 22-07298 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.
10. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River identified under Right 22-07208.
11. The exchange well must inject water into the Teton River whenever water is being diverted from the river under Right 22-07208, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.
12. The power supply to the exchange well under Right 22-07208 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.
13. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well identified under Right 22-07208.
14. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
15. Water under Right 22-07208 is rediverted from the South Pipe and Clementsville (North 1 and 2) Projects of the Teton Pipeline irrigation system.

Dated this 13th day of January, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 22-07120 & 22-07208

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5200

DATE: January 13, 1999

Transfer 5200 changes the place of use under Rights 22-07120 and 22-07208. A portion of the originally licensed land has been sold without water rights. Those 62.0 acres along with 34.0 acres from the corners around other pivots are being combined to irrigate a 96.0 acre pivot in the SW, S35, T07N, R43E.

The 472.0 acre place of use under Right 22-07120 is completely overlapped by the 1912.4 acre place of use described under Right 22-07208. Both rights covered the land that was sold, and the remaining 34.0 acres were irrigated under Right 22-07208 alone. No expansion in use occurs through approval of this transfer.

Recommended conditions include watermaster control, irrigation overlap, measuring devices, specific license conditions and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5200

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant TETON PIPELINE ASSN. INC c/o Jack Hoopes Phone (208) 456-2801
 Post Office address P.O. Box 272, Teton Id 83452

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Portion of land under these water rights have been sold without water, Transferring that water to small pivot in Sec 35, T7N, R43E.

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
<u>22-07120</u>	<u>01/14/1975</u>	<u>5.00 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
<u>22-07208</u>	<u>02/10/1977</u>	<u>9.00 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 14.00 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water TETON RIVER (22-07120) Groundwater (22-07208) tributary to Henry's Fork (22-07120)

4. Points of diversion (or ☒ see Attachment 1):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark

5. Lands irrigated or place of use (or ☒ see Attachment 1):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

☐ Permissible place of use, actual acreage irrigated not to exceed _____ acres per year.

Total acres _____

PART 1

6. General Information:

a. Description of diversion system TETON PIPELINE DIVERSION FROM SOUTH PROJECT ON
TETON RIVER AND EXCHANGE WELLS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Lands will not be irrigated. Will turn to pasture

d. Remarks:

Jack Hoopes Selling house and land without water rights.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____.

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 22-07120

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	5.00 CFS	1652.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
TETON RIVER	HENRYS FORK

Priority: 01/14/1975

LOCATION OF POINT(S) OF DIVERSION:SESE, Sec. 15, Township 06N, Range 44E
TETON CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	44E	7	NENE 9	NWNE 35	SWNE 31	
			SENE 18	SENE 28	NESW 21	
			SESW 19	NESE 13	NWSE 36	
			SWSE 40	SESE 16		266
		8	NWNW 8	SWNW 25	SENE 13	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			206
			Total number of acres irrigated:			472

*Sold to
Linda Miller
without
Water Right*

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
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.
3. Totalizing measuring devices shall be maintained at all points of diversion.
4. The maximum combined rate of diversion under this right and all other rights diverting from the South Pipe Project shall not exceed 15.36 cfs.
5. A total of six pumps are used in the diversion of water under this right.

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 22-07208

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	9.00 CFS	3284.7 AF

SOURCE

GROUNDWATER

Priority: 02/10/1977

LOCATION OF POINT(S) OF DIVERSION:

	NENE , Sec. 11, Township 06N, Range 40E MADISON County
	SESE , Sec. 25, Township 07N, Range 40E FREMONT County
Rediversion	NWSE , Sec. 3, Township 06N, Range 44E
Rediversion	SESE , Sec. 15, Township 06N, Range 44E TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
06N	44E	3	Lot 2 (NWNE)	5	SWNE	35	SWNW	40	
			SENE	40	NESW	12	NWSW	12	
			NWSE	4.4					148.4
		4	Lot 2 (NWNE)	28	SWNE	40	SENE	40	
			Lot 3 (NENW)	20	SENE	18	NESW	8	
			NESE	12	NWSE	12			178
		5	NWSW	35	SWSW	30			65
		7	NENE	9	NWNE	35	SWNE	31	
			SENE	18	SENE	28	NESW	21	
			SESW	19	NESE	13	NWSE	36	
			SWSE	40	SESE	16			266
		8	NWNW	8	SWNW	25	SENE	13	
			NESW	40	NWSW	40	SWSW	40	
			SESW	40					206
07N	43E	33	NENE	40	NWNE	40	SWNE	40	
			SENE	40	NESE	40	NWSE	40	
			SWSE	40	SESE	40			320
		34	NENE	33	NWNE	33	SWNE	33	
			SENE	33	NENW	33	NWNW	40	
			SWNW	40	SENE	33	NESE	19	
			NWSE	39	SWSE	39	SESE	39	414
44E	28		NWSW	6	SWSW	30	SESW	1	37
	29		NESW	30	NWSW	29	SWSW	38	
			SESW	39	NESE	27	NWSE	40	
			SWSE	39	SESE	36			278

Total number of acres irrigated: 1912.4

Water Right No. 22-07208

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
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.
3. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
4. Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.
5. 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.
6. 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.
7. The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
8. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
9. Water is redirected from the South Pipe and Clementsville (North 1 and 2) Projects of the Teton Pipeline irrigation system.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Transfer No. 5200

22-07120

4. Points of diversion (or ☐ see Attachment)::

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
6N	44E	15		SE	SE		TETON	SOUTH PROJECT

22-07208

4. Points of diversion (or ☐ see Attachment)::

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
6N	40E	11		NE	NE		MADISON	
7N	40E	25		SE	SE		FREMONT	
6N	44E	3		NW	SE		TETON	
6N	44E	15		SE	SE		TETON	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

LAND LIST ATTACHMENT

#5 PLACE OF USE

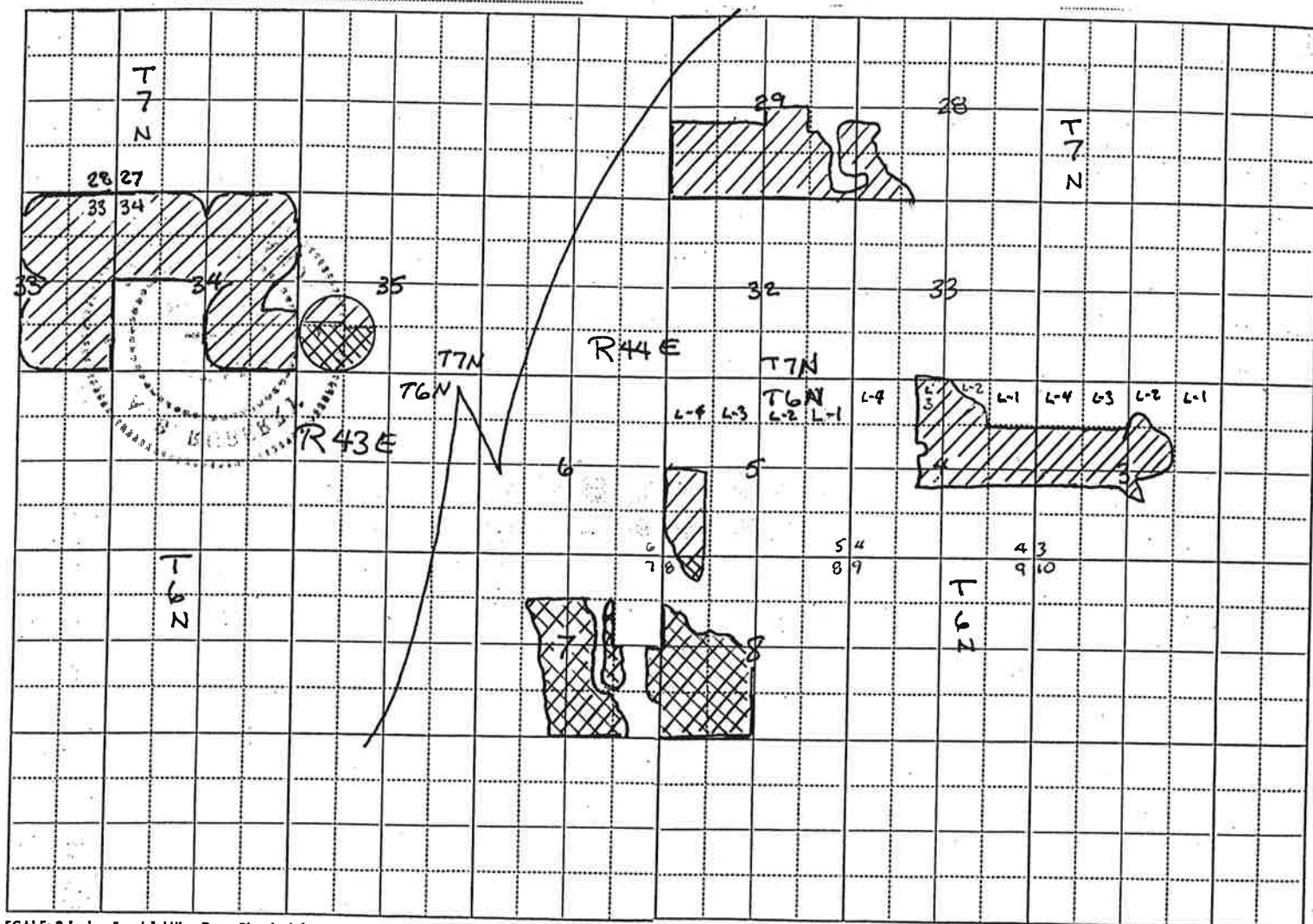
Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
22-07	20																		
6N	44E	7		31				28	21			19	13	36	40	16			204
		8					8	25	13	40	40	40	40						206
7N	43E	35									1	35	26						62
																			472
22-07	208																		
6N	44E	3	L-2 5	35				40	40	12	12			4.4					148.4
		4	L-2 28	40	40	L-3 40			18	8				12	12				178
		5					35	30											65
		7		31				28	21			19	13	36	40	16			204
		8					8	25	13	40	40	40	40						206
7N	43E	33	40	34	34	40								40	34	34	40		296
		34	33	33	33	33	33	40	40	33				19	33	35	39		365
		35									12	23	35	26					96
7N	44E	28									6	30	1						37
		29									30	29	38	39	27	40	39	36	278
																			1912.4

Total number of acres irrigated _____

New place of use
location

NAME OF APPLICANT.



22-07208



22-07120