

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74017

This is to certify that: GRAND TETON PIPELINE ASSN
C/O PEACOCK PROPERTIES
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-13327	AJC/Decreed	05/01/1892	17.23 cfs	N/A	N/A	1,257.6	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>
22-13327	NO	NO	NO	NO	YES	YES

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>
22-13327	22-13327	17.23 cfs	N/A	N/A	1,257.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		17.23 cfs	N/A	N/A	1257.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of July, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13327
As Modified by Transfer No. 74017

In accordance with the approval of Transfer No. 74017, Water Right No. 22-13327 is now described as follows.

Right Holder: GRAND TETON PIPELINE ASSN
 JEFF HASTINGS PRES
 PO BOX 163
 DRIGGS ID 83422

Priority Date: May 01, 1892

Source: TETON CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	17.08 CFS	
DIVERSION TO STORAGE	04/15 to	10/31	0.15 CFS	25.4 AF
RECREATION STORAGE	01/01 to	12/31		25.4 AF
WILDLIFE STORAGE	01/01 to	12/31		25.4 AF
			17.23 CFS	

LOCATION OF POINT(S) OF DIVERSION:

TETON CREEK L1 (NWNE) Sec. 17 Twp 05N Rge 46E TETON County

PLACE OF USE: RECREATION & WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	46E	7	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																X			

1. Place of use is within the area served by Grand Teton Pipeline Association.
2. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
3. The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 23 NWSWSE, 6PM (projected). The point of diversion shown above is where the conveyance system enters Idaho.
4. Water is delivered through North Side Canal in Wyoming and rediverted to Grand Teton Pipeline into Idaho.
5. The quantity of water diverted under this water right shall be from the portion awarded to Idaho and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

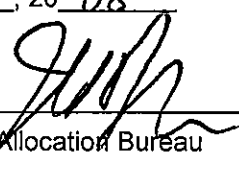
WATER RIGHT NO. 22-13327
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CONDITIONS OF APPROVAL

6. This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). ~~Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.~~
7. Use of water under this right will 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. 01.
8. 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).
9. The two ponds established by the storage of water under this right shall not exceed a total capacity of 21 acre feet or a total surface area of 2.5 acres.
10. This right authorizes the diversion of an annual total of 25.4 af to be used for the initial filling of the reservoir, and for the replacement of losses caused by evaporation from the reservoir.
11. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
12. This right does not grant any right-of-way or easement across the land of another.
13. 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.
14. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 19th day of July, 2008



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74017

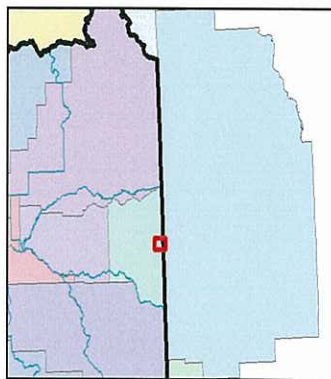


Grand Teton Pipeline Assn
Water Right: 22-13327

Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton, Teton Wy Counties
IDWR Basin 22

Prepared by Jeff Harris
On Saturday, July 19, 2008
2004 Aerial Photography

