

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-13327
Date Received: 10/13/2004

Receipt No:

Received By:

EC 30664
3/8/05 ABR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GRAND TETON PIPELINE ASSOCIATION Phone: (208) 709-4888
JERRE HASTINGS PRESIDENT
PO BOX 163
DRIGGS ID ID USA 83422

2. Date of Priority: 05/01/1892

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	17	SW NE	TETON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	01/31	17.23	

7. Total Quantity Appropriated is:
17.23 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	46E	7	SW SE	IRRIGATION	40
			NE SE	IRRIGATION	40
			NW SE	IRRIGATION	40
			SE SE	IRRIGATION	40
			Section Acres		160
05N	46E	8	SW SW	IRRIGATION	40
Section Acres		40			
05N	46E	17	NW NW	IRRIGATION	40
			NE NW	IRRIGATION	40
			SW NW	IRRIGATION	40

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Paul Hastings of
Title President, that I have signed the foregoing
Organization Grand River Pipeline Ass, document in the space below as President of
Title President and that the statements contained in the
Organization Grand River Pipeline Ass foregoing document are true and correct.
Signature of Authorized Agent Paul Hastings
Title and Organization Grand River Pipeline Ass
Date 2/28/05

State of Idaho)
County of BONNEVILLE) SS.

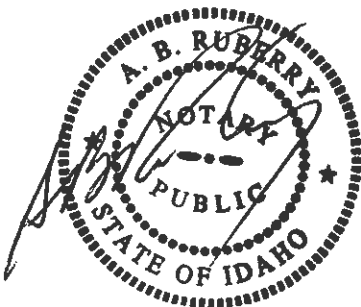
Subscribed and sworn (or affirmed) before me this 28th
of FEBRUARY 2005

ALLEN B. RUBERRY

Notary Public

Residing at PO BOX 1000

My commission Expires 9/23/09



Grand Teton Pipeline Association
September 24, 2002

Idaho Department of Water Resources
900 North Skyline Drive Suite "A"
Idaho Falls, ID 83402

Attention: Ron Carlson

Dear Mr. Carlson,

Enclosed is a copy of an E-Mail letter from Wyoming Water Superintendent Jade Henderson to Jim T. Wilson, Water Commissioner. Mr. Wilson furnished me a copy of the letter. The letter involves the delivery of water to Idaho users under the Roxana Decree. Since that Decree specifies that the distribution of water to Idaho users should be made by "*the proper officer of the State of Idaho*," I thought you should be made aware of the issues raised by Mr. Henderson.

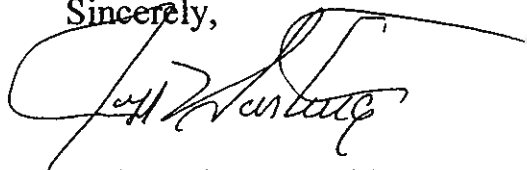
The pipeline users do not question the accuracy of Mr. Henderson's outline of the delivery of Idaho and Wyoming apportionments through the various canals and pipelines under the Roxana Decree. As to the Grand Teton Pipeline, his outline is consistent with his letter of January 23, 1998 to the Grand Teton Canal Company. In that letter Mr. Henderson specifically noted that, *in 1968*, Grand Teton Pipeline irrigators received conditional authorization from Wyoming to divert a 17.23 cfs portion of Grand Teton Canal water right #22-0277 through Wyoming's North Side Canal. In the same letter, Mr. Henderson noted that this diversion resulted in the reduction of Grand Teton Canal Company's share of water right #22-0277 from 127.2 cfs to 109.97 cfs. The net result is apparently that the Grand Teton Pipeline irrigators receive 13.5 percent of the water under water right #22-0277, and the Grand Teton Canal users get 86.5 percent.

As noted in Mr. Henderson's letter, the Grand Teton Pipeline's share of this water right is diverted from Teton Creek into the North Side Canal. Thereafter, the Pipeline's share flows from the North Side Canal into the Grand Teton Pipeline. However, according to the Roxana Decree, the Pipeline carries both Wyoming and Grand Teton Pipeline (Idaho) apportionments when Teton Creek is under regulation. Mr. Henderson states that this necessitates a meter at the Wyoming-Idaho state boundary to insure that none of Wyoming's water apportionment is carried into Idaho.

The Pipeline users do not oppose the installation of a measuring device at the State boundary *if*:

1. An appropriate Idaho official *regularly* participates in the flow measurements that are relied on to fix the Idaho apportionment diverted into the North Side Canal and made available to Idaho irrigators using the Grand Teton Pipeline. This would conform to the Roxana Decree requirement that "the determination of the amount of stream flow... and the division of the waters thereof, as between the States, as herein decreed, shall be under the supervision and direction of the Commissioner of Reclamation of the State of Idaho and the State Engineer of the State of Wyoming."
2. When requested, such measurements be made available to an independent hydrologist who the Pipeline may obtain to verify the accuracy of measurements relied on in fixing the amount of the pipeline apportionment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Hastings", written over a horizontal line.

Jeff Hastings, President