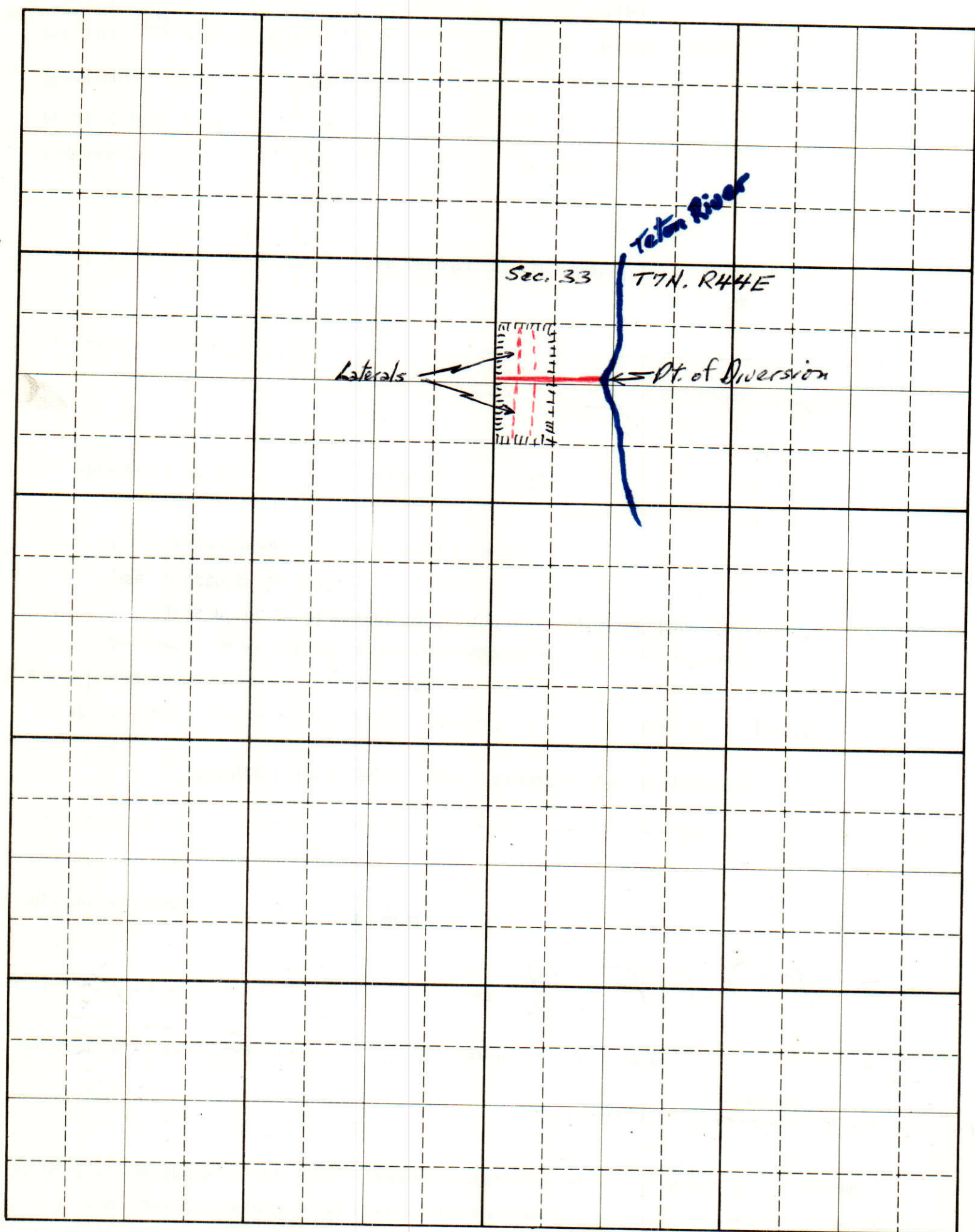


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

AFFIDAVIT OF PUBLICATION

State of Idaho)
)ss
 County of Teton)

I, Louise J. Norton
 being first duly sworn depose and say
 that I am the publisher
 of the Teton Valley News, a news-
 paper as defined by Idaho Codes An-
 notated, Section 58-106, as amended,
 and that said newspaper is a weekly
 newspaper printed and published in
 Driggs, in Teton County, Idaho, hav-
 ing a general circulation in said coun-
 ty, and that said newspaper has been
 printed in said county for more than
 78 consecutive weeks prior to the first
 publication of the attached notice, ad-
 vertisement or publication of

Proposed Change of Water Right #22-0457

University of Idaho, Teton

And affiant further says that said
 attached notice, advertisement or
 publication, as per clipping attached,
 was published in said newspaper, in
 the regular and entire issue thereof,
 and not in any supplement issue

thereof, for 2 consecutive issues
 thereof; first publication having been

made on the 16 day of June

1977. 4 6/23/77

And affiant further says that at the
 times herein mentioned said news-
 paper was made up of at least six
 pages of at least eight columns each,
 printed from type matter, of at least
 twenty inches deep.

Louise J. Norton

Subscribed in my presence and
 sworn to before me this 24 day
 of June, 1977.

(SEAL) Notary Public for the State
 of Idaho, residence and
 postoffice address, Driggs,
 Idaho.

My Commission expires

July 2, 1979

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 22-0457

Notice is hereby given that
 University of Idaho, Teton
 Experiment Station, St. Anth-
 ony, Idaho, has applied to the
 Department of Water Resour-
 ces for a change in the point
 of diversion and place of use
 of the waters of the Teton
 River tributary to North Fork.
 The right sought to be chang-
 ed is evidenced by decree to
 Pioneer Ditch Company in
 case of Rexburg Irrigation
 Company et al -vs- Teton Ir-
 rigation Canal Company dat-
 ed 12-16-1910 in 6th Judicial
 Court, County of Fremont and
 is recorded as follows:

AMOUNT: 10.56 cfs; PRI-
 ORITY: May 1, 1883; DE-
 CREED POINT OF DIVER-
 SION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T.
 7N, R. 41E, B.M., Teton Coun-
 ty.

The water is used to irri-
 gate 550 acres within the W $\frac{1}{2}$
 SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 30, T. 7N, R. 41E; S $\frac{1}{2}$
 NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 25, NW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 7N, R.
 40E, B.M.

TO BE CHANGED AS FOLLOWS

Only 1.00 cfs of water will
 be diverted within the SE $\frac{1}{4}$
 NW $\frac{1}{4}$, Sec. 33, T. 7N, R. 44E,
 B.M., Teton County; and used
 to irrigate 80 acres within the
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
 33, T. 7N, R. 44E, B.M.

Any protest against approv-
 al of the above proposed
 change of water right must be
 filed with the Idaho Depart-
 ment of Water Resources,
 1515 Lincoln Road, Idaho
 Falls, Idaho, 83401, on or be-
 fore July 5, 1977.

C. STEPHEN ALLRED
 Director

Published in the Teton Valley
 News, Driggs, Idaho, on June
 16 and June 23, 1977.

RECEIVED

JUN 27 1977

Department of Water Resources
 Eastern District Office

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 22-0457

Notice is hereby given that University of Idaho, Teton Experiment Station, St. Anthony, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Teton River tributary to North Fork. The right sought to be changed is evidenced by decree to Pioneer Ditch Company in case of Rexburg Irrigation Company et al -vs- Teton Irrigation Canal Company dated 12-16-1910 in 6th Judicial Court, County of Fremont and is recorded as follows:

AMOUNT: 10.56 cfs; PRIORITY: May 1, 1883; DECREE POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7N, R. 41E, B.M., Teton County.

The water is used to irrigate 550 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 7N, R. 41E; S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 25, NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 7N, R. 40E, B.M.

**TO BE CHANGED
AS FOLLOWS**

Only 1.00 cfs of water will be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 7N, R. 44E, B.M., Teton County; and used to irrigate 80 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 7N, R. 44E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 5, 1977.

C. STEPHEN ALLRED
Director

Published in the Teton Valley News, Driggs, Idaho, on June 16 and June 23, 1977.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant University of Idaho (Tetonia Experiment Station) Phone 624-7780
Post office address Post Office Bldg. St. Anthony, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 - a. Decree to Pioneer Ditch Company (Name)
in case of Rexburg Irrigation Company et al vs Teton Irrigation Canal Company
dated December 16, 1910 in 6th Judicial Court county of Fremont et al
(Name of court)
 - b. License No. _____ issued by the Idaho Department of Water Resources
 - c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
By lease from Pioneer Ditch Company
3. Source of water Teton River tributary to North Fork
4. Date of priority May 1, 1883
5. Water is used for the following purposes:
amount 10.56 CFS for Irrigation purposes from April 1 to November 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 10.56 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29
Township 7N. Range 41E., B.M., in Teton County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N.	41E.	30										40	40	40		20			140
7N.	40E.	25			40	40					40	40	40	40					240
7N.	40E.	30					40	40	40	40							10		170

Total number of acres to be irrigated 550

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 1.0 cubic feet per second
&/or
b. acre feet per annum
2. Point of diversion SW 1/4 NW 1/4, Section 29 Township 7N.
Range 41 E., B.M., Teton County
Additional points

3. Place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N.	40E.	30							40	40									80

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 1.0 c.f.s. &/or acre feet

b. Point(s) of diversion SE 1/4 NW 1/4, Section 33 Township 7N.
Range 44 E., B.M., Teton County
Additional points

c. Description of diverting works Existing works consisting of: dam, headgate,
pipe line

d. Describe the reasons for applying for a change in the point(s) of diversion To lease 1.0 CFS
to other lands for the year 1977, becuase lands taken out this year must be
rehabilitated due to teton dam failure.

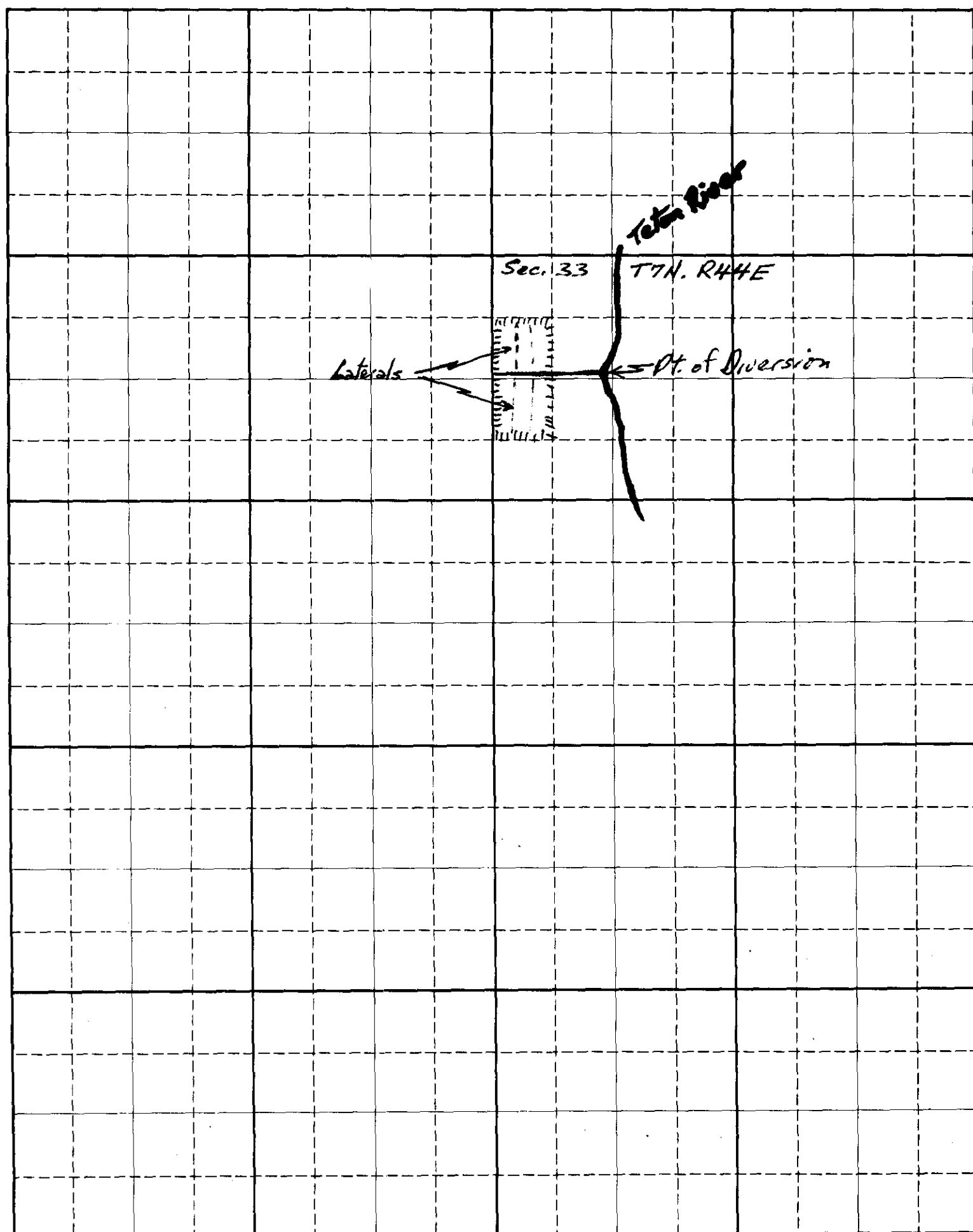
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N.	44E	33							40			40							80

Total number of acres to be irrigated 80

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

John F. Carson Superintendent
(Signature of applicant)

Subscribed and sworn to before me this 3rd day of June, 19 77

Ronald P. Carson
(Notary public)

My commission expires 2/14/78

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0457, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

This right shall revert to its original point of diversion and place of use on October 1, 1977.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of July, 19 77

Herbert H. Huns

FOR DEPARTMENT USE ONLY

Received by AW Date 6-03-77

Prelim. check by EMC Fee \$30.00

Receipted by AW Date 6-03-77

Published in Antelope Valley News #1324

Pub. dates June 16 & 23-1977

Watermaster recommendation requested on 6-15-77

WD #01 rec'd. 6-21-77

Art Larson

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Jim Johnson

WATER LEASE

THIS AGREEMENT, Made and entered into this 11 day of May, 1977, by and between PIONEER DITCH CO., an Idaho corporation, with its principal office in Wilford, Idaho, hereinafter called "Landlord", and UNIVERSITY OF IDAHO (Tetonia Experiment Station), hereinafter called "Tenant",

WITNESSETH:

1. Property Leased.

Landlord does hereby lease to tenant and tenant does hereby lease from Landlord one cubic foot per second of the natural flow of the Teton River, with a priority of May 1, 1883, decreed to Landlord.

2. Term of Lease.

The lease shall run for a term of days commencing with date hereof and continuing to October 1, 1977.

3. Rental.

Tenant shall pay to landlord as rent for the lease the sum of \$200.00 payable upon execution hereof, receipt of which is hereby acknowledged by Landlord.

4. Use of Water.

Tenant shall be responsible for complying with all laws, rules and regulations pertaining to the acquisition of authority to change the point of diversion and place of use of said water. Tenant shall also be responsible for providing all diversionary works and costs of applying the water to tenant's property, which shall be in Section 33, Township 7 North, Range 44 East, Boise Meridian, in Teton County, Idaho.

Tenant shall not do anything to jeopardize landlord's right, title and interest in and to said water and decreed water right.

5. Taxes.

If any taxes, assessments or other charges are properly attributable to the leased water, tenant shall pay same.

6. Quiet Enjoyment.

Landlord covenants and agrees that tenant, upon payment of the rent and performance of its agreements herein, shall and may peaceably and quietly have, hold, and enjoy the water during continuance of this lease.

7. End of Term.

Upon termination of the lease, tenant shall surrender use of the water to landlord. Tenant shall take whatever action is necessary to transfer back to landlord said water and the decreed right thereto, including the changing of the point of diversion and place of use back to their original places.

8. Remedies for Default by Tenant.

In the event that tenant shall be in arrears in payment of rent, or shall fail to comply with any of the other covenants, terms, or conditions of this lease within ten day's written notice given by certified mail, return receipt requested, or personally delivered to tenant of such defaults, or shall abandon said water right, then tenant shall not have the right to continue to use said water, and landlord shall have the right to resume the use of said water. In the event, although the lease shall be otherwise terminated, tenant shall remain liable to landlord for the loss or damage resulting from the breach of the lease, and tenant shall remain liable for any unpaid rent for the remaining term of the lease which may all be declared due and owing.

Tenant shall pay all costs, expenses and reasonable attorneys' fees that are incurred by landlord in enforcing the covenants and agreements of this lease or collecting damages for the breach hereof, with or with suit.

Landlord shall, in event of breach by tenant, have such other remedies as are afforded in law or equity.

9. Remedies for Default by Landlord.

In the event the landlord shall fail to perform the covenants of this lease on its part, then tenant may give written notice of the defaults of landlord by mailing the same to them certified mail, return receipt requested, and if said defaults are not corrected within ten days after the mailing of the notice, then tenant at its option may either terminate and cancel this lease on a date after the expiration of said ten day period, which date shall be selected and designated by the tenant in the written notice to landlord, or tenant may remedy said breach and the cost of such action may be deducted by tenant from unpaid rents which shall accrue under the unexpired term of this lease.

Landlord shall pay to tenant all costs, expenses and reasonable attorneys' fees that are incurred by tenant in enforcing the covenants and agreements of this lease or collecting damages for the breach thereof, with or without suit, in the event of default by landlord.

Tenant shall also have other remedies as are afforded in law or equity in the event of any breach by landlord hereunder.

10. Miscellaneous.

This lease cannot be assigned by tenant, nor mortgaged or encumbered, nor the water or any part thereof sub-let, without the written consent of landlord.

All the provisions of this lease shall be binding upon the representatives, successors, and assigns of the parties hereto.

Tenant shall save landlord harmless and defend landlord of and from all claims, actions, or causes of action that may arise out of tenant's use of the water.

IN WITNESS WHEREOF, The parties have executed this lease.

LANDLORD

Pioneer Canal Co., a corporation,

By: Elmer Klein
Elmer Klein, President

ATTEST:

Gary Birch
Gary Birch, Secretary

TENANT

University of Idaho (Tetonia
Experiment Station)

By: John K. ...
CONTROLLER UNIVERSITY OF IDAHO

STATE OF IDAHO,)
County of ^{FREMONT} ~~Madison~~.)
SS.

On this 25 day of May, 1977, before me, the undersigned, a Notary Public in and for said state, personally appeared ELMER KLEIN and GARY BIRCH, known to me to be the President and Secretary, respectively of Pioneer Canal Co., the corporation that executed the foregoing instrument and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jack Stone

Notary Public for Idaho
Residing at: ST. ANTHONY, IDAHO
My Commission expires: 12/20/79

STATE OF IDAHO,)
LATAH) ss.
County of ~~Madison~~.)

On this 31st day of May, 1977, before me, the undersigned, a Notary Public in and for said State, personally appeared GERALD R. REYNOLDS and ////////////////////, known to me to be CONTROLLER of the University of Idaho (Tetonia Experiment Station), the corporation that executed the foregoing instrument and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Bernie Keeler

Notary Public for Idaho
Residing at: Moscow
My Commission expires: For Life

RECORDED

AFFIDAVIT OF PUBLICATION

State of Idaho)
)ss
County of Teton)

I, Louise D. Martin
being first duly sworn depose and say
that I am the publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes An-
notated, Section 58-106, as amended,
and that said newspaper is a weekly
newspaper printed and published in
Driggs, in Teton County, Idaho, hav-
ing a general circulation in said coun-
ty, and that said newspaper has been
printed in said county for more than
78 consecutive weeks prior to the first
publication of the attached notice, ad-
vertisement or publication of

Proposed Change of Water Right H22-0759
University of Idaho Teton

And affiant further says that said
attached notice, advertisement or
publication, as per clipping attached,
was published in said newspaper, in
the regular and entire issue thereof,
and not in any supplement issue
thereof, for 2 consecutive issues
thereof; first publication having been
made on the 16 day of June
1977. 6/23/77

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least six
pages of at least eight columns each,
printed from type matter, of at least
twenty inches deep.

Louise D. Martin

Subscribed in my presence and
sworn to before me this 24 day
of June, 1977.

(SEAL) Notary Public for the State
of Idaho, residence and
postoffice address, Driggs,
Idaho.

My Commission expires
July 2, 1979

RECEIVED

JUN 27 1977

Department of Water Resources
Eastern District Office

RECEIVED

FEB 27 1911

OFFICE OF STATE ENGINEER

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al.,

PLAINTIFFS,

DECREE.

-VS-

Teton Irrigation Canal Company, et al.,

DEFENDANTS.

This cause coming on to be heard this *Dec* day of

1910, upon the report of F. J. Cowen, Referee heretofore appointed

for the purpose of taking the testimony and making recommendations

as to Findings of Fact, Conclusions of Law and Decree, to be entered

herein, and the said F. J. Cowen, having filed his report of the

testimony taken, and his recommendations as to Findings of Fact

and Conclusions of Law, which have heretofore been adopted, and the

respective plaintiffs and defendants and cross-complainants appearing

herein by their respective counsel, and the Court being full informed

advised in the premises, and having ordered that judgment be

rendered in accordance with the report and recommendations of the said

Referee, *and* reason of the law and the Report and Findings

and Conclusions of Law aforesaid,

It is ordered, Adjudged and Decreed, that the several parties

plaintiffs and defendants herein named, do have judgment respectively

granted a right to use, for irrigation and other purposes, the following

number of inches of water, each fifty inches thereof to be equivalent

to a flow of one cubic foot per second, as prescribed by the law

Phillips, Thomas H.

(See Robert Blamires.)

Fine Creek

~~1-066~~ 22 0453

Canal Company

1100
1,000 inches. June 1, 1902. Pine Creek.

~~1-066~~ 22 0454

Pinecock-Byington

Ditch Company

700 inches. April 1, 1898. Teton River.

~~1-066~~ 22 0455

Pinecock-Byington

Ditch Company

356 inches. Mch 1, 1884. Teton River.

Pinecock, George A.

(See Martin L. Bird &
Pinecock-Byington
Ditch Company.)

~~1-066~~ 22 0456

Pioneer Ditch

Company

900 inches. Apr. 1, 1898. Teton River.

~~1-066~~ 22 0457

Trans.
#2112

Pioneer Ditch

Company.

528 inches. May 1, 1883. Teton River.

Pitkin, Colton

Roxana Canal Company.

Podlatis, Mary

Parsons Ditch Company.

Poll, William

The Farmers' Friend Canal Co.

~~1-066~~ 22 0458

Porter, John

75 inches. June 15, 1897. Trail Creek.

~~1-066~~ 22 0459

Poulson, J. C.

130 inches. June 1, 1898. North Leigh Creek.

~~1-066~~ 22 0460

Powell, W. J.

40 inches. June 1, 1903. Trail Creek.

~~1-066~~ 35 0024

Preston, W. A.

200 inches. Apr. 22, 1895. Boone Creek.

~~1-066~~ 22 0461

Price J. W.

80 inches. June 1, 1899. Teton Creek.

~~1-066~~ 22 0462

Priestly, W. W.

60 inches. June 1, 1899. Badger Creek.

~~1-066~~ 22 0463

Priestly, W. W.

160 inches. June 1, 1901. Little Badger Creek.

~~1-066~~ 35 0025

Pugmire, G. Y.

200 inches. May 1, 1903. McTucker Springs.

~~1-066~~ 21 0086

Quivey, Joseph E.

320 inches. July 15, 1904. Targoo Creek.

~~1-066~~ 22 0464

Rammell, C. H.

30 inches. June 1, 1898. Badger Creek.

~~1-066~~ 22 0465

Rammell, C. H.

30 inches. June 1, 1902. Badger Creek.

~~1-066~~ 22 0466

Rammell, George

20 inches. June 1, 1898. Badger Creek.

~~1-066~~ 22 0467

Rammell, George

40 inches. June 1, 1900. Badger Creek.

~~1-066~~ 22 0468

Rammell, George

40 inches. June 1, 1902. Badger Creek.

Rasmussen, George

(See J. H. Riley.)

Raymond, S. V. & V. S.

Anderson Canal Company.

MICROFILMED

July 14, 1977

Re: Transfer No. 2112/22-0457

University of Idaho
Tetonia Experiment Station
Post Office Bldg.
St. Anthony, ID 83445

Gentlemen:

Enclosed is a copy of your approved Application for Transfer for Water Right No. 22-0457. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure



APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 22-0457

RECOMMENDATION OF WATERMASTER

RECEIVED

JUN 21 1977

Department of Water Resources
Eastern District Office

I, Arthur L. Larson, watermaster of Snake River,
of Water District No. 01, County of Bonneville, Fremont, etc., State of Idaho,
whose address is P.O. Box 1099, Idaho Falls, Ida
have read the attached copy of the application for transfer of water right for Univ. of
Idaho Exp. Station, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: A line meter be installed & maintained.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons:

Dated at Idaho Falls, Idaho, this 20th day of June 1977.

Arthur L. Larson
(signature)

Please use reverse side if needed.

June 15, 1977

RE: Application for Transfer No. 01-0131/etc. STRINGHAM
No. 22-0457 U of I

Mr. Arthur Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

Dear Art:

Please find enclosed a copy of the above referenced application and water master recommendation forms. Please review these applications and complete the forms, returning them to this office on or before July 5, 1977.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures

RECEIVED

June 10, 1977

RE: Application for Transfer No. 22-0457 UNIVERSITY OF IDAHO, TETONIA EXP.

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RECEIVED
JUN 14 1977
FBI - BOISE

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:GW

Bill submitted

6-27-77 by Ced

Enc: Legal Notice (1)

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 22-0457**

Notice is hereby given that University of Idaho, Teton Experiment Station, St. Anthony, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Teton River tributary to North Fork. The right sought to be changed is evidenced by decree to Pioneer Ditch Company in case of Rexburg Irrigation Company et al -vs- Teton Irrigation Canal Company dated 12-16-1910 in 6th Judicial Court, County of Fremont and is recorded as follows:

AMOUNT: 10.56 cfs; PRIORITY: May 1, 1883; DECREED POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 7N, R. 41E, B.M., Teton County.

The water is used to irrigate 550 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 7N, R. 41E; S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 25, NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 7N, R. 40E, B.M.

**TO BE CHANGED
AS FOLLOWS**

Only 1.00 cfs of water will be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 7N, R. 44E, B.M., Teton County; and used to irrigate 80 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 7N, R. 44E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 5, 1977.

C. STEPHEN ALLRED
Director

Published in the Teton Valley News, Driggs, Idaho, on June 16 and June 23, 1977.

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Teton River Name A. O. Halen
2. Right Being Transferred Right No. _____
 a. ☒ Decree Transfer No. _____
☐ License
☒ Use
 b. ☒ Priority
 c. ☒ Location - Original P. D.
 d. ☒ " - Original P. U.
 e. ☒ " - New P. D.
 f. ☒ " - New P. U.
 g. ☒ Amount
☐ All
☒ Part
3. ☒ Proof of Ownership of Right
 Comment Lease agreement of Teton River
Ditch Company for a period of one year.
4. ☒ Expansion of Right
 Comment No.
5. ☒ Map
6. ☒ Signature
7. ☒ Fee
8. Watermaster's Comments _____

9. Comments Condition transfer to be terminated with
expiration of lease. Teton with Elmer Klein
irrigated land in S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 30 T. 7N R. 40E
will not be irrigated this year.

Initial Review by Ernest Carlson

Date 8/10/77

Recommended Action

☒ Approve $\frac{1}{2}$

☐ Deny

☒ Conditions The right shall revert to its original
Point of Diversion & Place of use on Oct 1, 1977.

By Loren O. Halen

Date 7-5-77

MICROFILMED

Regis Sent