

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

Change of Water right # 22-0351
Doyle L. Ottesen

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 9 day of June
1977. + 6/16/77

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 17 day
 of June, 1977

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

My Commission expires

9-20, 1979

RECEIVED

JUN 20 1977

Department of Water Resources
 Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 22-0351

Notice is hereby given that
 Doyle L. Ottesen, Sugar City,
 Idaho, has applied to the De-
 partment of Water Resources
 for a change in the point of
 diversion of the waters of Big-
 ler Slough — Teton River trib-
 utary to Henrys Fork Snake
 River. The right sought to be
 changed is evidenced by de-
 cree to Hans J. Jeppsen in
 case of Rexburg Irrigation Co.
 et al -vs- Teton Irrigation Co.
 et al dated 12-16-1910 in Sixth
 District Court, County of Fre-
 mont and is recorded as fol-
 lows:

AMOUNT: 1.60 cfs; PRIORI-
 TY: 7-01-1887; DECREED
 POINT OF DIVERSION: SE $\frac{1}{4}$
 SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E,
 B.M., Fremont County.

The water is used to irri-
 gate 80 acres within the W $\frac{1}{2}$
 NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E,
 B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted
 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15,
 T. 6N, R. 44E, B.M., Teton
 County.

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 June 27, 1977.

C. STEPHEN ALLRED
 Director

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

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Dorothy D. Hunsaker

being first duly sworn, upon his
oath, deposes and says:

owner

That he is the
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

notice of proposed change of
water right No. 22-0351

And affiant further says that
said 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,

two
for consecutive is-
sues thereof; first publication

having been made on the 9

day of June, 1977,

and the last publication on the

16 day of June

1977

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep

Subscribed in my presence and

sworn to before me this

day of July

1977

Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

JUL 12 1977

Department of Water Resources
Eastern District Office

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 22-0351**

NOTICE is hereby given that Doyle L.
Ottesen, Sugar City, Idaho, has applied
to the Department of Water Resources
for a change in the point of diversion of
the waters of Bigler Slough - Teton River
tributary to Henry's Fork Snake River.
The right sought to be changed is
evidenced by decree to Hans J. Jeppsen
in case of Rexburg Irrigation Co. et al
-vs- Teton Irrigation Co. et al dated
12-16-1910 in Sixth District Court,
County of Fremont and is recorded as
follows:

AMOUNT: 1.60 cfs, PRIORITY: 7-01-
1887

DECREED POINT OF DIVERSION:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E,
B.M., Fremont County.

The water is used to irrigate 80 acres
within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R.
40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M.,
Teton County.

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
June 27, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle News, St. Anthony, Idaho, on
June 9 and June 16, 1977.

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 22-0351**

NOTICE is hereby given that Doyle L. Ottesen, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Bigler Slough - Teton River tributary to Henry's Fork Snake River. The right sought to be changed is evidenced by decree to Hans J. Jeppsen in case of Rexburg Irrigation Co. et al -vs Teton Irrigation Co. et al dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 1.60 cfs, **PRIORITY:** 7-01-1887

DECREED POINT OF DIVERSION:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E.
B.M., Fremont County.

The water is used to irrigate 80 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County.

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 June 27, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho, on June 9 and June 16, 1977.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 22-0351**

Notice is hereby given that Doyle L. Oltesen, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Bigler Slough — Teton River tributary to Henrys Fork Snake River. The right sought to be changed is evidenced by decree to Hans J. Jeppsen in case of Rexburg Irrigation Co. et al -vs- Teton Irrigation Co. et al dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 1.60 cfs; PRIORITY: 7-01-1887; DECREED POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County.

The water is used to irrigate 80 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County.

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 June 27, 1977.

C. STEPHEN ALLRED
Director

Published in the Teton Valley News, Driggs, Idaho, on June 9 and June 16, 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 Doyle L. Ottesen Phone 458-4422
Post office address Rt. #1, Sugar City, ID 83448

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to Hans J. Jeppsen (Name)
in case of Rexburg Irrigation Co. et al vs Teton Irrigation Co. et al
dated 12-16-1910 in sixth district county of Fremont
(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 _____
3. Source of water Bigler Slough (Teton R.) tributary to Henry's Fork Snake River
4. Date of priority 7-1-1887
5. Water is used for the following purposes:
amount 1.60 for irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)
6. Total amount of water under right: a. 1.60 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36
Township 7N Range 40E, B.M., in Fremont 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 $\frac{1}{4}$	
6N	40E	1						L. 4 40	40										80

Total number of acres to be irrigated 80

RECORDED

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. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion
- a. Amount of water to be diverted 1.60 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ SE ¼, Section 15 Township 6N
Range 44E, B.M., Teton County
Additional points _____
- c. Description of diverting works pumps and pipeline
- d. Describe the reasons for applying for a change in the point(s) of diversion
to supplement water supply to pipeline

2. Change in place of use

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- 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.

[illegible]

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

3. Remarks this transfer is to remain in effect only until September 1, 1977, by agreement. At that time the right will revert to its original point of diversion and place of use.

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.

D. L. Otter
(Signature of applicant)

Subscribed and sworn to before me this 18th day of May, 19 77

Loren O. Halverson
(Notary public)

My commission expires March 21, 1979

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0351, and said application is hereby APPROVED.

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

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this Transfer is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 22 day of August, 19 77

Howard W. Wynn

FOR DEPARTMENT USE ONLY

Received by me Date 5-18-77

Prelim. check by LH Fee \$30.00

Received by LH Date 5-18-77

Published in Idaho Valley # 7269

Pub. dates June 9 & 16 - 1977

Watermaster recommendation requested on 6-09-77

WD #01 rec'd. 8-11-77

Art Larson

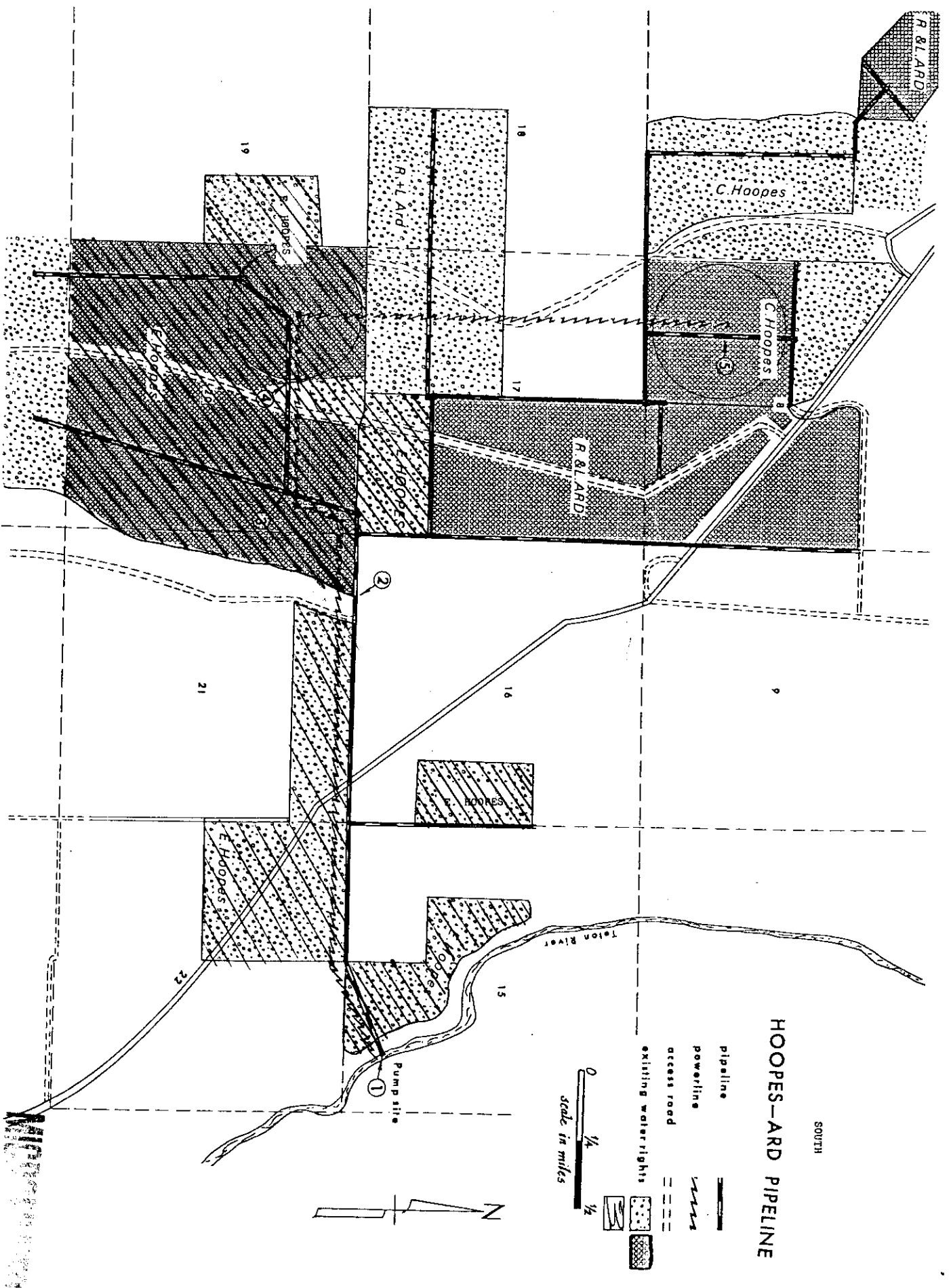
Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by SS



HOOPES-ARD PIPELINE

SOUTH

- pipeline
- powerline
- access road
- existing water rights

0 1/4 1/2
scale in miles

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 1,320

100-443887-100

ESCROW 193

VALLEY BANK
92-80 Rexburg, Idaho 92-80

WARRANTY DEED

THIS INDENTURE, Made this 1st day of January, 1973, between ERVIN OTTESEN and JENNIE OTTESEN, his wife of Route #1, Sugar City, County of Madison, State of Idaho, the parties of the first part and DOYLE L. OTTESEN and PATSY LEE OTTESEN, his wife, of Route #1, Sugar City, County of Madison, State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, lawful money of the United States of America and other valuable consideration, to them in hand paid the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their Heirs and assigns, forever, all the following described real estate, situated in Madison County, State of Idaho, to-wit:

PARCEL A: That portion of land lying in Twp. 6 N., Rge. 40 East, Sec. 12, of the Boise Mer., more particularly described as follows: Beginning at a point which is North 1393.94 feet and West 38.48 feet from the Southeast corner of Sec. 12, Twp. 6 N., Rge. 40 E.B.M., said point is the true point of beginning; thence North 00°00'39" East for a distance of 1241.78 feet; thence South 89°58'48" West for a distance of 1373.76 feet; thence South 00°03'24" East for a distance of 1284.34 feet, to a point which lies on the South bank of the Teton Canal; thence along the South bank of said Canal South 38°39'24" East for a distance of 177.41 feet; thence South 62°12'18" East for a distance of 127.05 feet; thence South 83°09'48" East for a distance of 167.38 feet; thence South 84°27'18" East for a distance of 241.81 feet; thence North 70°48'54" East for a distance of 144.45 feet; thence North 61°45'42" East for a distance of 77.41 feet; thence North 81°25'48" East for a distance of 98.74 feet; thence North 42°45'48" East for a distance of 83.87 feet; thence North 41°01'00" East for a distance of 83.82 feet; thence North 58°19'00" East for a distance of 94.03 feet; thence North 70°50'00" East for a distance of 147.64 feet; thence South 70°29'54" East for a distance of 61.39 feet; thence South 38°40'18" East for a distance of 80.78 feet to the true point of beginning, containing 43.467 acres more or less.

WARRANTY DEED

THIS INDENTURE, made this 5th day of November, 1969,
between HOWARD E. OTTESON; CAROL O. MEMMOTT; and JOYCE O. BIRCH

of _____, County of _____, State of _____,
the parties of the first part and DOYLE L. OTTESON and PATSY L. OTTESON, husband
and wife

_____ of Sugar City
County of Madison _____, State of Idaho _____, the parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of
en and No/100----- Dollars
lawful money of the United States of America and other valuable consideration
to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged,
have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto
the said parties of the second part, and to their heirs and assigns, forever, all the following described
real estate, situated in _____, County of _____, State of Idaho, to-wit:

An undivided one-half interest in and to:

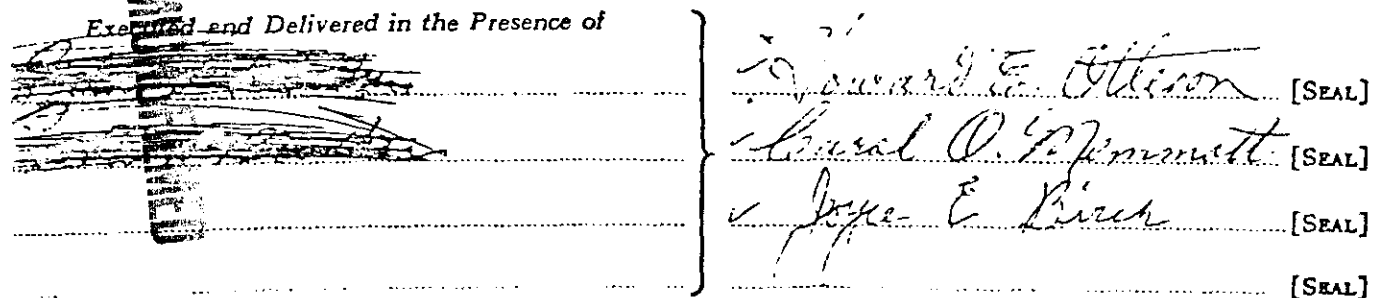
Lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 1, Twp. 6 N., R. 40 E., Boise Mer.,
and decreed water right, 80 miner's inches in Bigler Slough,
priority: 6/1/1887.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
ing or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues
and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity
of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together
with the appurtenances unto the parties of the second part, and to their heirs and assigns forever.
And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said parties
of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands
and seal the day and year first above written.

Executed and Delivered in the Presence of


Howard E. Otteson [SEAL]
Carol O. Memmott [SEAL]
Joyce E. Birch [SEAL]
[SEAL]

PARCEL B: That portion of land lying in Twp. 6 N., Rge. 40 East, Sec. 12, of the Boise Mer., more particularly described as follows: Beginning at a point which is North 35.67 feet and West 502.29 feet from the Southeast corner of Sec. 12, Twp. 6 N., Rge. 40 E.B.M., said point is the true point of beginning; thence North $00^{\circ}08'36''$ West for a distance of 67.81 feet; thence South $89^{\circ}41'48''$ East for a distance of 71.88 feet; thence South $89^{\circ}41'48''$ East for a distance of 278.85 feet to a point on curve, said curve $\Delta = 89^{\circ}50'48''$ and Radius = 301.98 feet; thence right along the curve arc for a distance of 170.84 feet ($\Delta = 32^{\circ}24'48''$) to the end of curve; thence South $89^{\circ}51'27''$ West for a distance of 162.38 feet to the true point of beginning, containing 0.369 acres more or less.

Together with a perpetual Easement 1 rod in width extending along and adjoining the entire North line of this parcel of land for the purpose of bringing in soil to put on the potato cellar and otherwise maintain said potato cellar located on said parcel of land. Said Easement shall not be fenced and the use of it shall not unnecessarily interfere with the farming thereof.

Together with twenty (20) acre feet of storage water in the Fremont-Madison Irrigation District, and sixteen (16) shares of the capital stock of Teton Manufacturing Irrigation Company.

PARCEL C: An undivided one-half interest in and to the following described property located in Madison County, Idaho to-wit: Lot 4 and the Southwest Quarter of the Northwest Quarter of Sec. 1, Twp. 6 N., Rge. 40 E.B.M. and decreed water rights 80 miners inches in Bigler Slough, priority: 6-1-87.

Subject to Easements, if any, of record or in existence for roads, streets, ditches, canals, pipelines and utilities.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof: and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns,

AFFIDAVIT OF PUBLICATION

State of Idaho)
)ss
County of Teton)

RECEIVED

JUN 20 1977

Department of Water Resources
Eastern District Office

I, Louise J. Dorton
being first duly sworn depose and say

that I am the publisher
of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published in Driggs, in Teton County, Idaho, having a general circulation in said county, 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, advertisement or publication of

Change of Water Right # 22-0327
Douglas C. Douglas

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 9 day of June
1977. * 6/16/77

And affiant further says that at the times herein mentioned said newspaper 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. Dorton

Subscribed in my presence and sworn to before me this 17 day of June, 1977

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

Douglas C. Douglas
My Commission expires

9-20, 1979

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Dorothy D. Hunsaker

being first duly sworn, upon his
oath, deposes and says:

owner

That he is the
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of
notice of proposed change of
water right No. 22-0351
.....

And affiant further says that
said 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 two consecutive is-
sues thereof; first publication

having been made on the 9

day of June, 1977,

and the last publication on the

16 day of June.....

19 77

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep

Dorothy D. Hunsaker
Subscribed in my presence and

sworn to before me this 8th

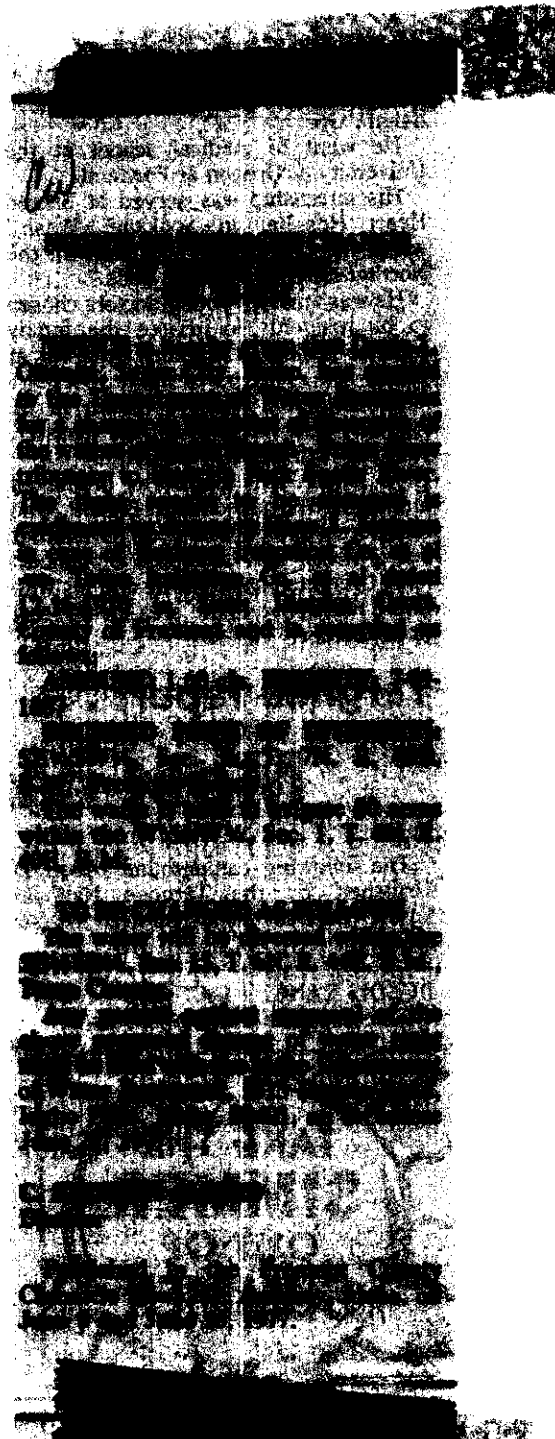
day of July.....

Donna Rose
Notary Public for the

(SEAL) State of Idaho, resi-
dence and post office
address: St. Anthony,
Idaho.

JUL 12 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 11th 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

and in accordance with the report and recommendations of the said

Canal, reason of the law and the Report and Finding

and Conclusions of Law aforesaid,

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

plaintiffs and defendants herein named, do have judgment respectively

for 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

01-084
Island Park
Land & Cattle
Company.

500 inches.

June 15, 1889. North Fork of
Snake River.

1 085
Island Park
Land & Cattle
Company.

1,500 inches.

June 1, 1891. North Fork of
Snake River.

1 086
Island Park
Land & Cattle
Company

500 inches.

June 1, 1893. North Fork of
Snake River.

~~1 087~~ 22-0605
Island Park
Canal Company
Limited

5,000 inches.

Jan. 23, 1901. North Fork of Teton
River.

J.

Jackson, Alva H.

The Farmers' Friend
Canal Company.

~~1 0347~~ 22 0347
Jerman, Arthur

20 inches.

June 1, 1901. South Leigh Creek.

~~1 0348~~ 22 0348
Jerman, Arthur

60 inches.

June 1, 1902. South Leigh Creek.

~~1 0349~~ 22 0349
Jerman, Arthur

40 inches.

June 1, 1903. South Leigh Creek.

~~1 0087~~ 01-0087
Jarvis, J. O.

250 inches.

Feb. 21, 1890. Snake River, (Smith
& Maxwell ditch.)

~~1 0350~~ 22 0350
Jenkins, William

80 inches.

June 1, 1890. Fox Creek.

Jennings, Edwin

Lowder Canal Company.

Jennings, Jasper

Lowder Canal Company.

Jensen, Nels H.

The Farmers' Friend
Canal Company.

Jensen, H. P. Trans. #2115
~~1 0351~~ 22 0351

Roxana Canal Company.

Jeppson, Hans, J.

80 inches.

June 1, 1887. Bigler Slough.

~~1 0016~~ 35 0016
Johnson, Ephraim

160 inches.

June 20, 1891. Hull's Slough--
Boone Creek.

Johnson, John

The Farmers' Friend
Canal Company.

~~1 0017~~ 35 0017
Johnson, Joseph

80 inches.

June 20, 1891. Hull's Slough--
Boone Creek.

~~1 0352~~ 22 0352
Johnson, Joseph A.

135 inches.

June 1, 1898. Trail Creek.

Johnson, J. V.

Wearyrick Ditch
Company.

August 25, 1977

Re: Transfer No. 2115/22-0351

Doyle L. Ottesen
Route #1
Sugar City, ID 83448

Dear Mr. Ottesen:

Enclosed is a copy of your approved Transfer No. 2115 for Water Right No. 22-0351. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

RECEIVED
AUG 28 1977
FLEENOR

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 22-0351 OTTESEN

AUG 11 1977

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Eastern District Office

I, Arthur L. Larson, watermaster of Snake River,
of Water District No. 01, County of Bonneville, Fremont, State of Idaho,
whose address is Box 1099, Idaho Falls
have read the attached copy of the application for transfer of water right for _____
Doyle Ottesen, 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: 04 for 1977 only,

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 10th day of Aug 19 77.

Arthur L. Larson
(signature)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 27, 1977

RE: Application for Transfer No. 22-0351 OTTESEN
22-0553/etc. EHCO RANCH
22-0274/etc. BOTT
Application for Amendment No. 22-7209 HOOPES
22-7208 "

Fremont County Chronicle News
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on June 9 and June 16, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

MAILED
JUN 28 1977
FBI - IDAHO

June 9, 1977

RE: Application for Transfer No. 22-0274/etc. BOTT
22-0351 OTTESEN
22-0553/etc. EHCO RANCH, INC.

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

Dear Art:

Please find enclosed copies of the above referenced applications and watermaster recommendation forms. Please review these applications and complete the forms, returning them to this office on or before June 27, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures

June 3, 1977

RE: Application for Transfer No. 22-0351 OTTESEN
22-0553/etc. EHCO RANCH
22-0274/etc. BOTT
Application for PERMIT No. 22-7240 U of I

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,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (4)

Bill submitted 6-20-77 by Carl

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 22-8351**

NOTICE is hereby given that Doyle L. Ottesen, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Bigler Slough - Teton River tributary to Henry's Fork Snake River. The right sought to be changed is evidenced by decree to Hans J. Jeppesen in case of Rexburg Irrigation Co. et al vs Teton Irrigation Co. et al dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 1.60 cfs. **PRIORITY:** 7-01-1887

DECREE POINT OF DIVERSION:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N. R. 40E.
B.M., Fremont County.

The water is used to irrigate 80 acres within the W $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 6N. R. 40E. B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N. R. 44E. B.M., Teton County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1010 Lincoln Road, Idaho Falls, Idaho 83401, on or before June 27, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho, on June 9 and June 16, 1977.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 22-0351

Notice is hereby given that Doyle L. Ottesen, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Bigler Slough - Teton River tributary to Henrys Fork Snake River. The right sought to be changed is evidenced by decree to Hans J. Jeppsen in case of Rexburg Irrigation Co. et al -vs- Teton Irrigation Co. et al dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 1.60 cfs

PRIORITY: 7-01-1887

DECREED POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County.

The water is used to irrigate 80 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County.

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 June 27, 1977.

C. STEPHEN ALLRED

Director

Published in the **Teton Valley News, Driggs, Idaho,**
on June 9 and June 16, 1977.

RECORDED
INDEXED
JUN 16 1977
IDAHO DEPT. OF WATER RESOURCES

*the - D.
the - D.*

June 3, 1977

RE: Application for Transfer No. 22-0351 OTTESEN
22-0553/etc EHCO RANCH
22-0274/etc BOTT
Amended Application No. 22-7209 HOOPES
22-7208 "

Fremont County Chronicle
Box 568
St. Anthony, Idaho 83445

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,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted

7-12-77

by

CW

RDC:CW

Enc: Legal Notice (5)

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 22-0351**

Notice is hereby given that Doyle L. Ottesen, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Bigler Slough — Teton River tributary to Henrys Fork Snake River. The right sought to be changed is evidenced by decree to Hans J. Jeppsen in case of Rexburg Irrigation Co. et al -vs- Teton Irrigation Co. et al dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 1.60 cfs; PRIORITY: 7-01-1887; DECREED POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County.

The water is used to irrigate 80 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County.

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 June 27, 1977.

J. STEPHEN ALLRED
Director

Published in the Teton Valley News, Driggs, Idaho, on June 9 and June 16, 1977.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 22-0351

Notice is hereby given that Doyle L. Ottesen, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Bigler Slough - Teton River tributary to Henrys Fork Snake River. The right sought to be changed is evidenced by decree to Hans J. Jeppsen in case of Rexburg Irrigation Co. et al -vs- Teton Irrigation Co. et al dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 1.60 cfs

PRIORITY: 7-01-1887

DECREEED POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County.

The water is used to irrigate 80 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County.

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 June 27, 1977.

C. STEPHEN ALLRED

Director

Published in the **Fremont County Chronicle News, St. Anthony, Idaho,** on June 9 and June 16, 1977.



me - A
me - B

Idaho Water Resources
Board, Idaho Falls, Idaho

I Wayne L. Ottesen, am trading water
priority on the Bigler Slough 6/1/1887
to Earl Hoops in exchange for part
payment of pasture. Because my pasture
was destroyed in June 5th 1976 Iton Dam
flood, and I am reseeding it for
use in the future. This would be
from May 15th 1977 to Sept 1st 1977 at
this time the water will be redeverted back
to the original Bigler Slough.

Wayne L. Ottesen

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Big Lost Slough (Teton River)

Name Ottosen

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 See warranty deed

4. ☒ Expansion of Right

Comment Wash on acre foot / annum limitation

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments _____

9. Comments _____

10. Initial Review by Ernest M. Carlson

Date 5/19/77

11. Recommended Action

☒ Approve

☐ Deny

☒ Conditions MEASURING DEVICE

By RDC

Date 8/12/77

Copy Sent