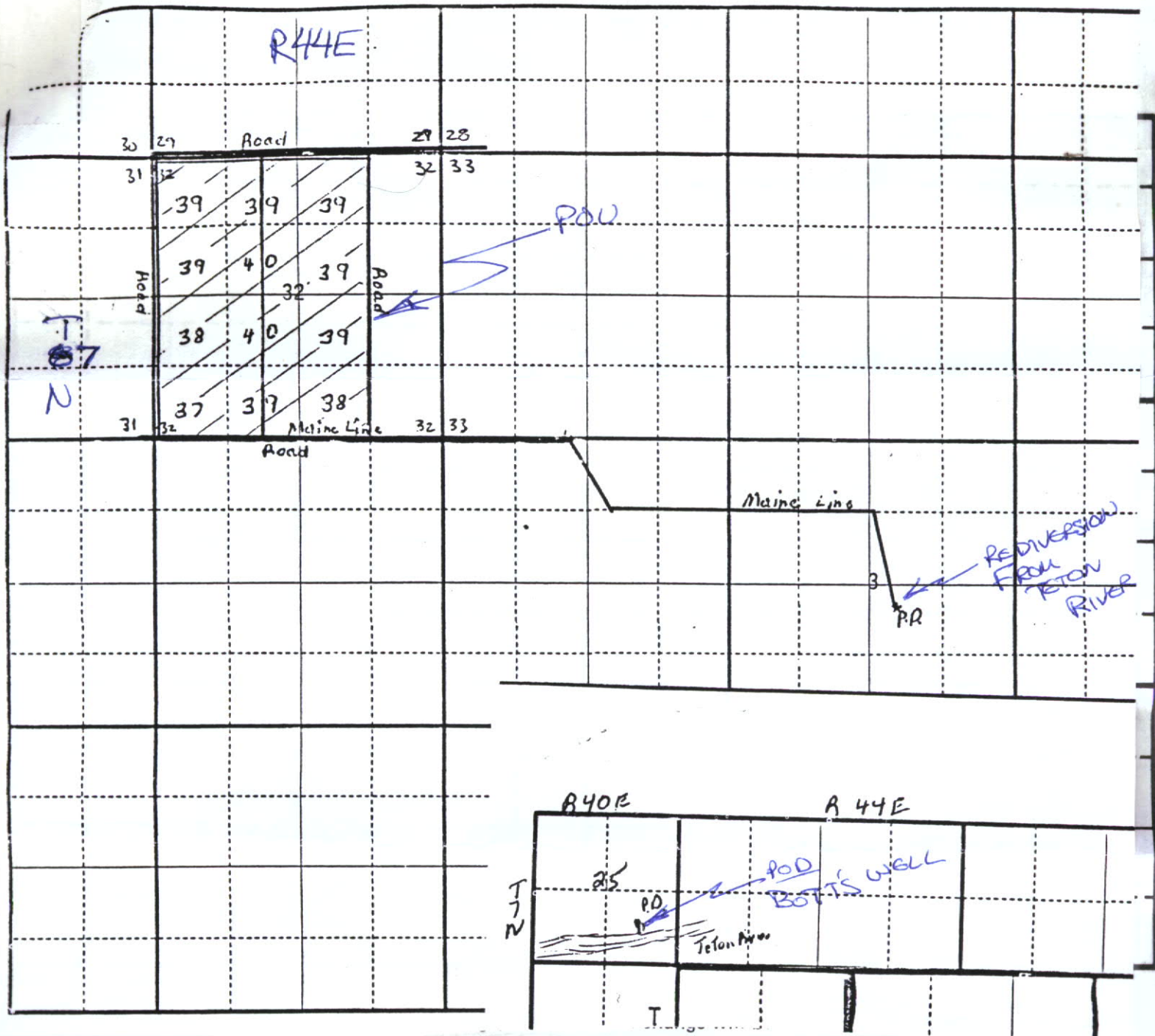




Signed at _____, this 24th day of January, 19 89.

Glen D. Nelson
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓

Received by CWong Date 2/8/1990 #C014490

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

Approve the above Amendment provided the conditions as set forth in Permit No.

22-7221 are met. The maximum combined rate of diversion under this right & Right

Nos. 22-7208/7209/7211/7295 shall not exceed 10.07 cfs.

Witness my hand this

5th day of March, 19 90

L. Glen Saxton
Chief, Water Alloc. Bureau

OCT 21 1997

For Office Use Only
Fee Received 15.00 +g
Date 7-28-82
Receipt # 24585

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

Gene E. Nelson of Star Rt. Vehicle To 5742
(Name) (Address)

State of _____, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public Water of the State of Idaho No. 22-7221.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 1985.

That he has heretofore performed the following work described under said permit: (1) Drilled and cased well to depth of 150' Test pump it at 95 gpm. Aggr. for casing & resulted in less than 200 gpm. (2) Churned to 2' casing up & deepened well to 220' in prospect of new aquifer. Costing \$
(This must be filled out! If no work has been completed put none.)

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Now trying a new pumping system on old aquifer involving both casings and compressed air delivery. yet developed to working capability.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 1985.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Gene E. Nelson
(Signature)*
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

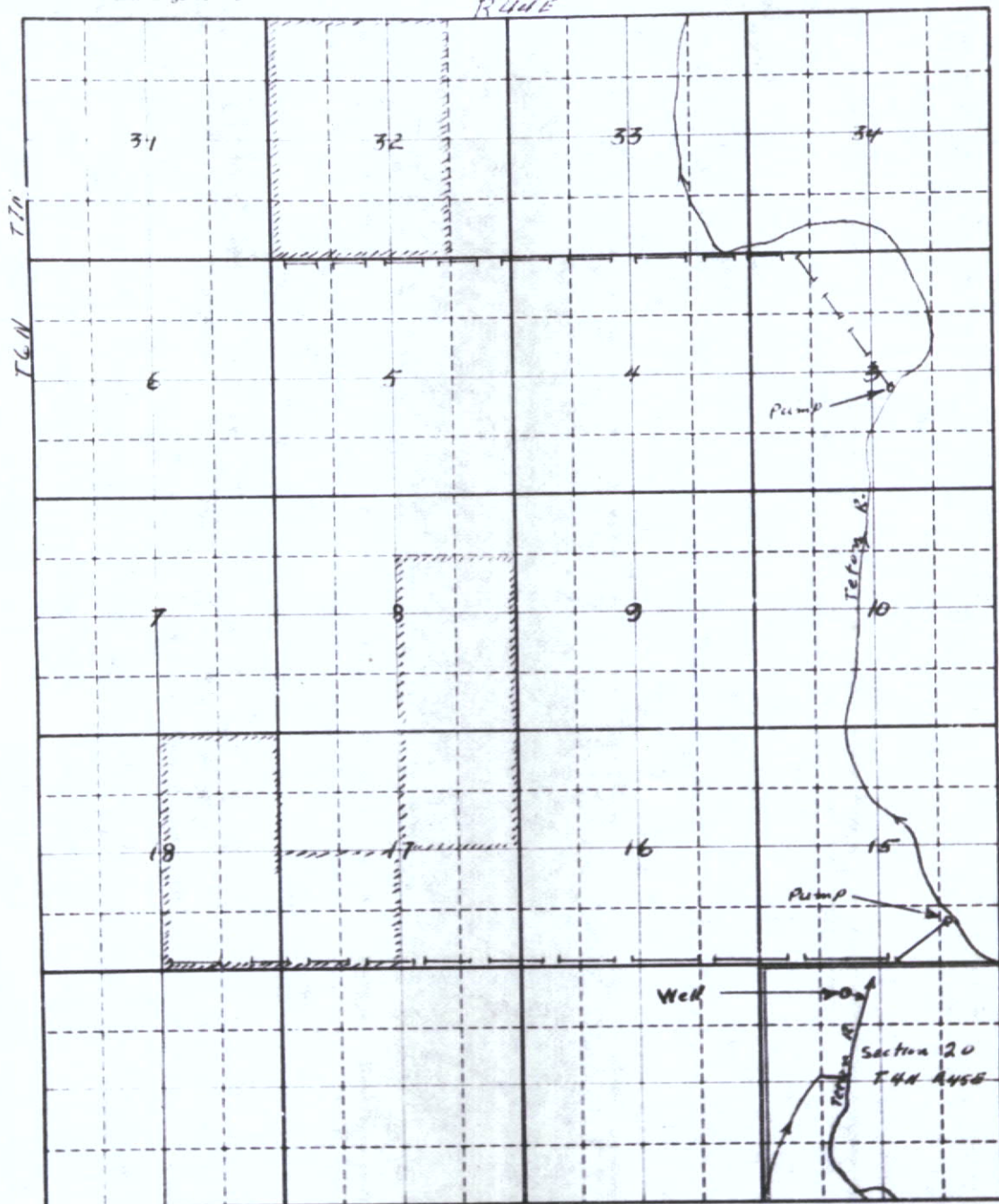
IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to June 1, 1985.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to May 28, 1977, pursuant to Sec. 42-218a, Idaho Code.

Signed this 2nd day of August, 1982.

A. Glen Sayton
Chief, Operations Bureau

RULE



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Alan D. Nelson
(Applicant)

Proposed Priority 4/ 6/77

Received by me Date 4-26-77 Tin 2-18p
Preliminary check by me Fee \$ 2500
Received by me Date 4-26-77 HCS
Publication prepared by me Date 4-28-77
Published in Idaho Valley Record
Publication dates April 4-28-77
Publication approved me Date 4-29-77
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial me

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7221, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 82.
- Other: That the unperforated casing must be extended and sealed through the first permanent confining layer.

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

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

Witness my hand this 17 day of June, 19 77.

[Signature]
Deputy Director

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

Glen D. Nelson
 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 at 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

Water permit H-22-7221

Glen D. Nelson, Newdale

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 *14* day of *April*

19 *77*

and last publication on the *21*

day of *April*, 19 *77*

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen and one-half inches deep.

Glen D. Nelson

Subscribed in my presence and sworn

to before me this *22* day of

April, 19 *77*
Shirley C. Dugan
 (SEAL) Notary Public for the State of
 Idaho, residence and postoffice
 address, Driggs, Idaho.

My Commission expires

9-20, 19 *79*

RECEIVED

APR 25 1977

Department of Water Resources
 Eastern District Office

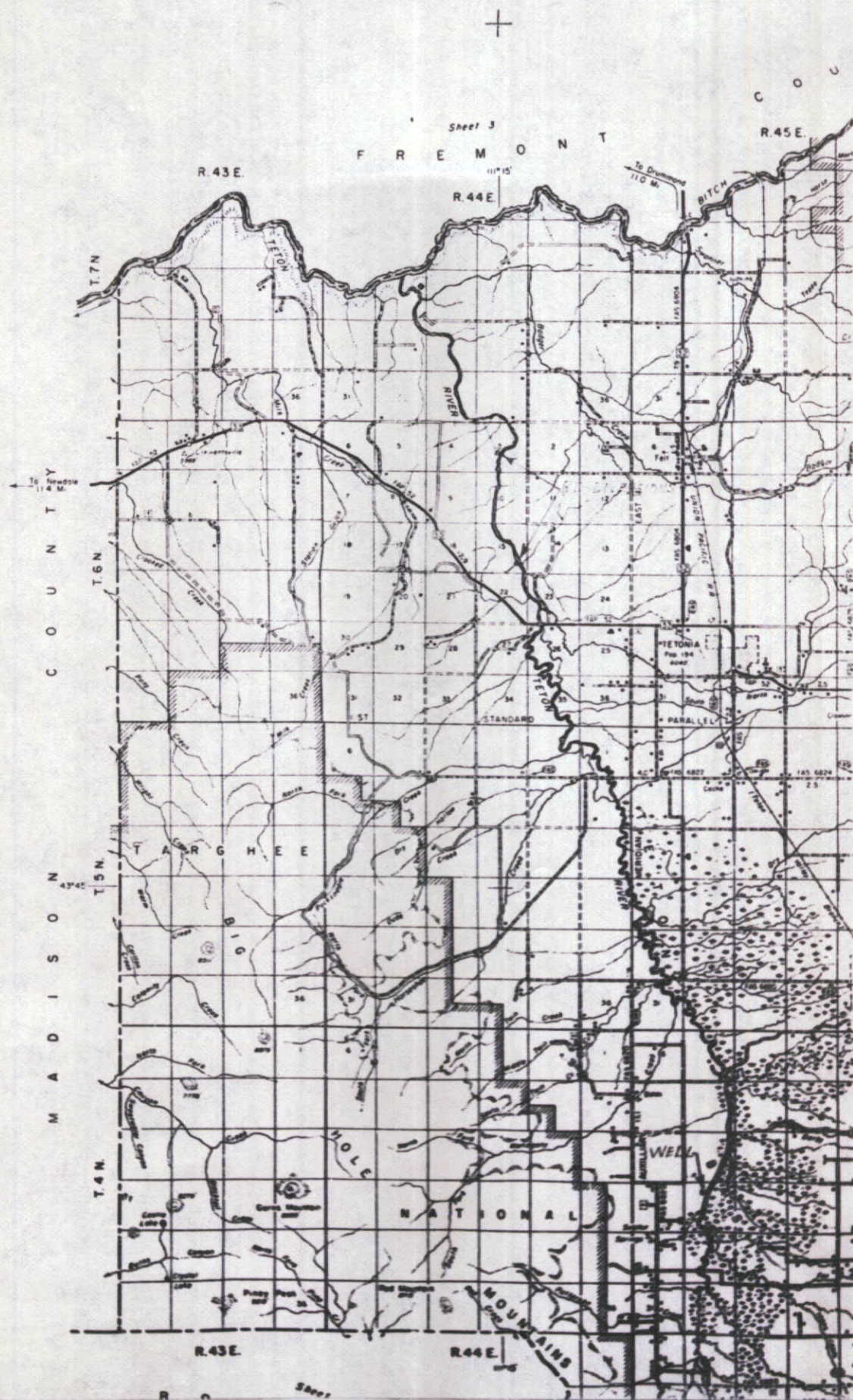
**NOTICE OF APPLICATION
 FOR WATER PERMIT**

Notice is hereby given that Glen D. Nelson, Newdale, Idaho has on 4-6-77 submitted Application No. 22-7221 for a permit to appropriate 0.60 cubic feet per second of water from a ground-water source by means of well and pump within the NE1/4 Sec. 30, T. 4N, R. 40E, B.M., Teton County. The water will be pumped into the Teton River and rediverted at a point within the NW1/4 Sec. 3, SE1/4 Sec. 15, T. 6N, R. 44E, B.M., to be used from Apr. 1 to Nov. 1 for the irrigation of 1,300 acres within the SE1/4 Sec. 3, NE1/4, SW1/4, Sec. 17, E1/4, Sec. 18, T. 6N, R. 44E; W1/2, W1/4, Sec. 32, T. 7N, R. 40E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 or before May 2, 1977.

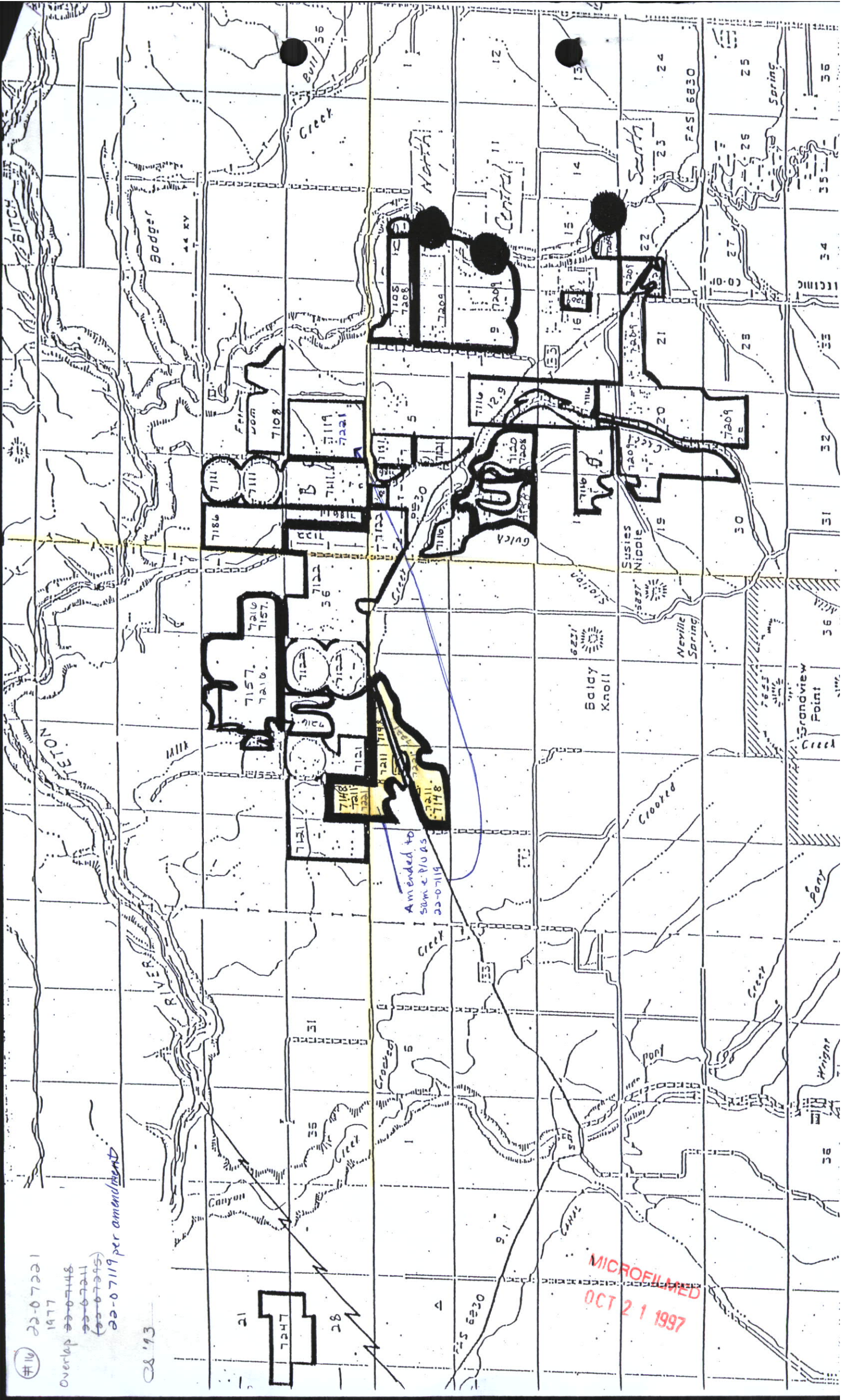
Director

Published in the Teton Valley News, Driggs, Idaho on Apr. 14 and Apr. 21, 1977.



#10 22-07221
1977
Overlap 22-07148
22-07221
(22-07295)
22-07119 per amendment

08/93



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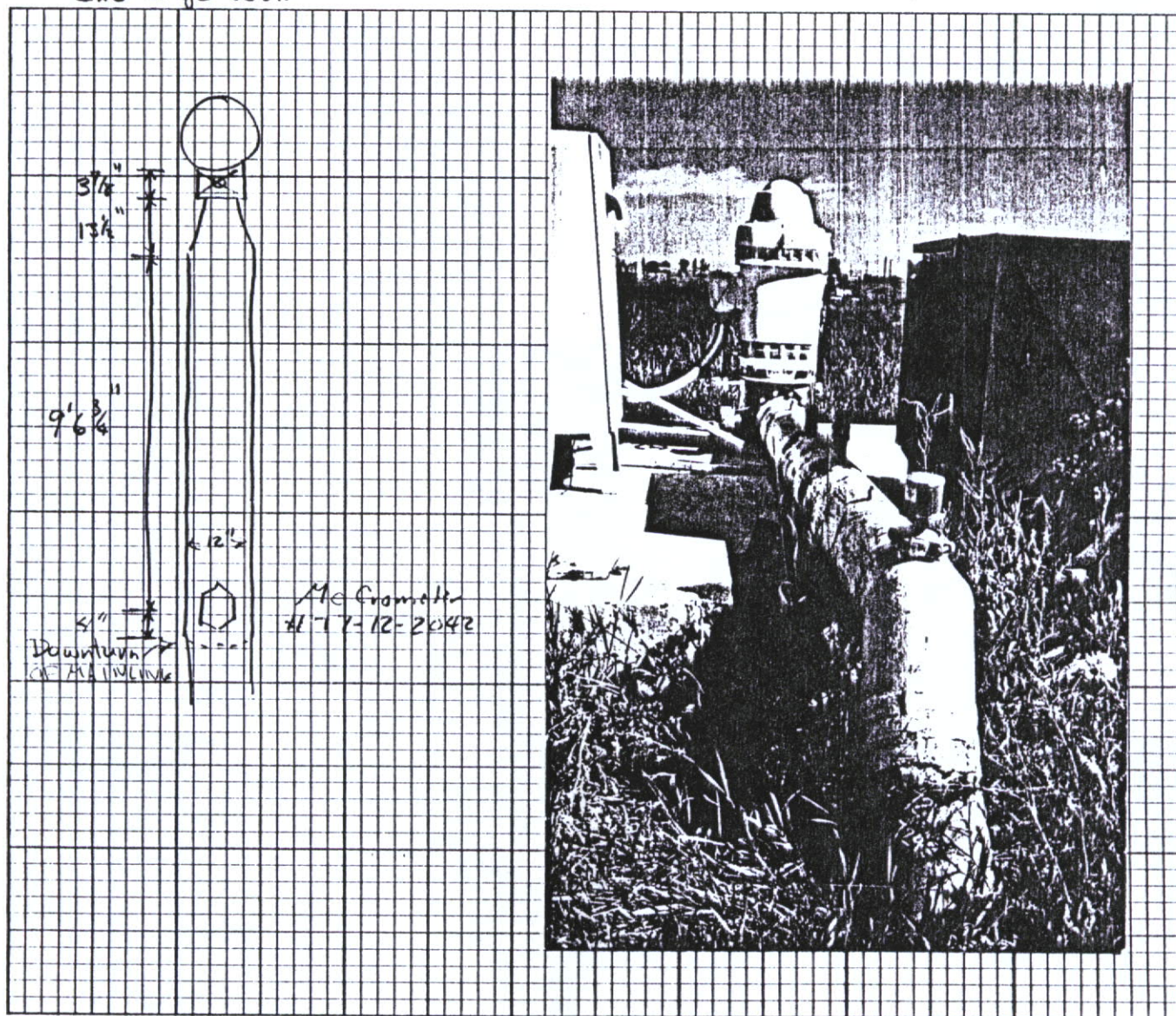
10. Other water rights on these lands 22-7148/22-7211

11. Other water right diverted from same p.d. 22-7211

12. **Diverslon and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Exchange Well

1_N



SEE ATTACHED COPY OF REDIVERSION DIAGRAM

13. ☒ Photo of Diverslon & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks REDIV FROM TETON PIPELINE NORTH PROTECT #1 is 20% of total Q of 28.7 cfs $\therefore Q = 5.74$ cfs

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other

16. Examiner's/Consultant's Signature Keith C Wilson Date 3 Aug 1984

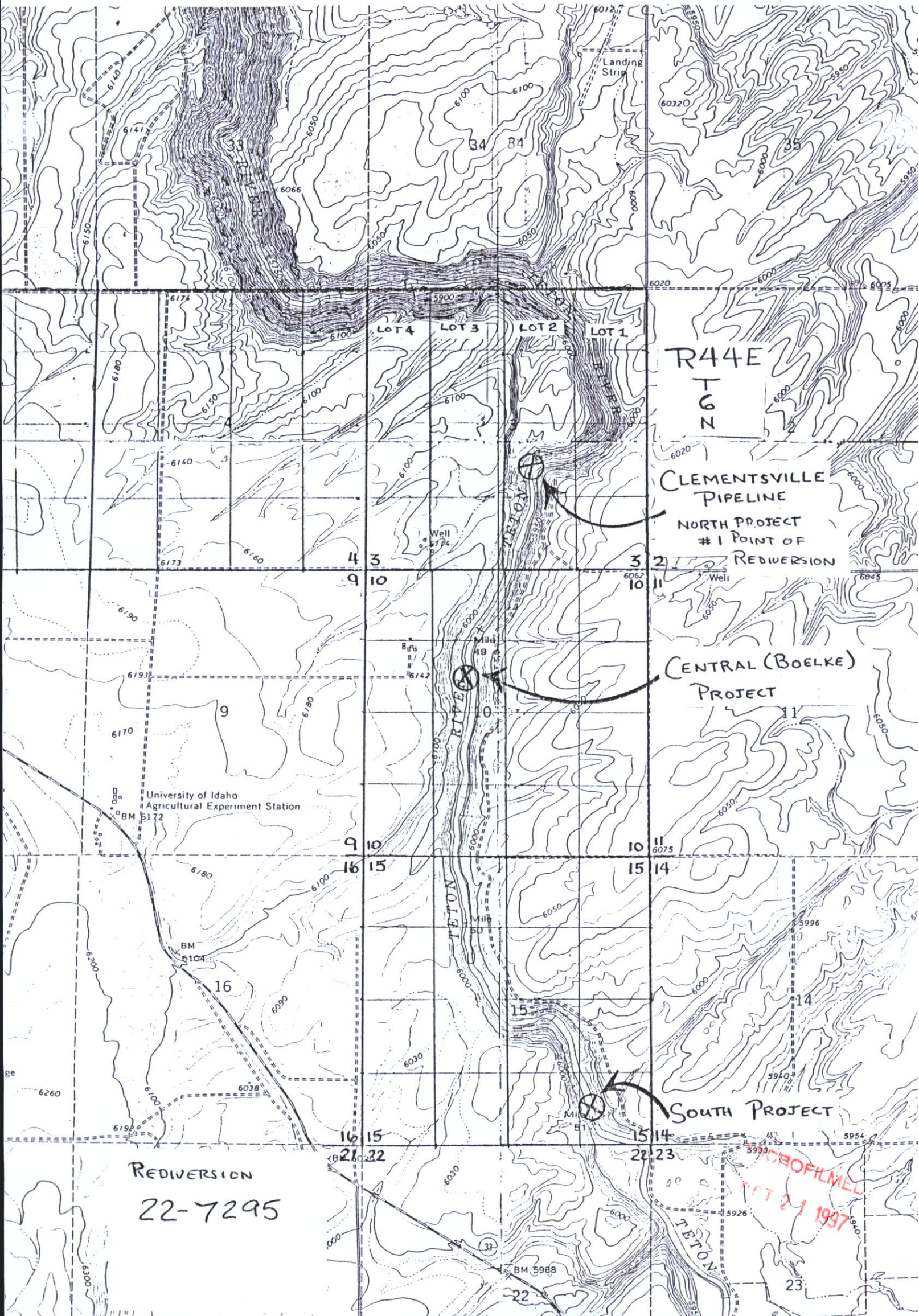
Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

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CONSULTANT SEAL
OCT 21 1997



R44E
T6N

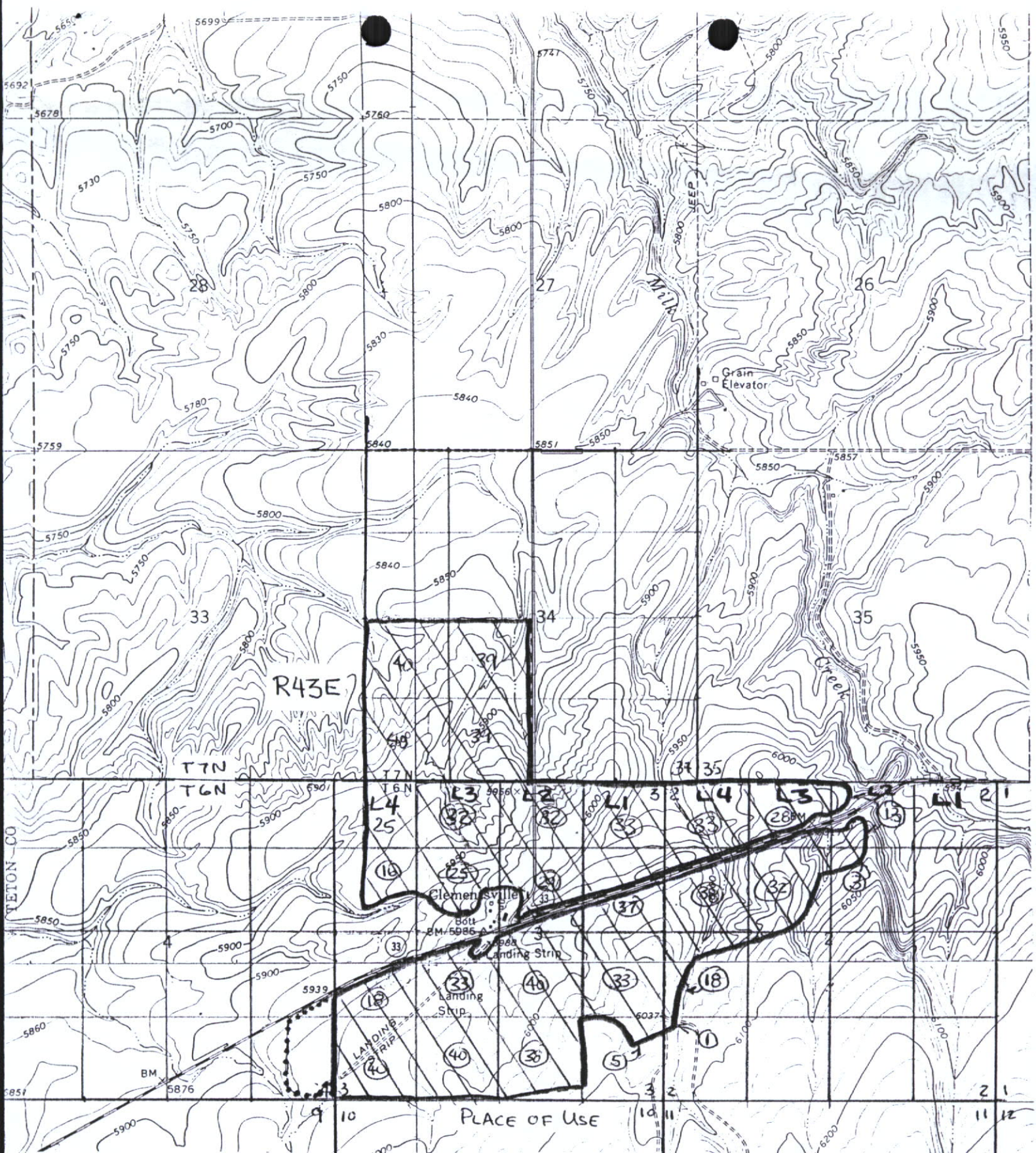
CLEMENTSVILLE
PIPELINE
NORTH PROJECT
#1 POINT OF
REDIVERSION

CENTRAL (BOELKE)
PROJECT

SOUTH PROJECT

REDIVERSION
22-7295

PROFILMED
OCT 21 1997



LOTS FOR PLACE OF USE

Retraced

79.50 39.77	78.5 39.75	589°45'E	39.96 589°55'E	78.4 39.75	589°45'E	79.50
----------------	---------------	----------	-------------------	---------------	----------	-------

R43E	31.53	31.99	32.45	32.91	33.08	32.97	32.85	32.74
T6N	80	80	80	80	80	80	80	80
T7N	Sec. 3	608.88			Sec. 2	611.64		
T8N	589°20'N	79.50			589°44'E	60.00		
T9N	Sec. 10	640			Sec. 11	640		
T10N	589°38'E				589°43'E			

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22007295
21 1997

Region

R 43 E
T 6 N

3334

L-4

L-3

L-2

L-1

L-4

L-3

L-2

L-1

T-7N

R 43 E

Place of Use

22-7148
22-7211
22-7295

NOT

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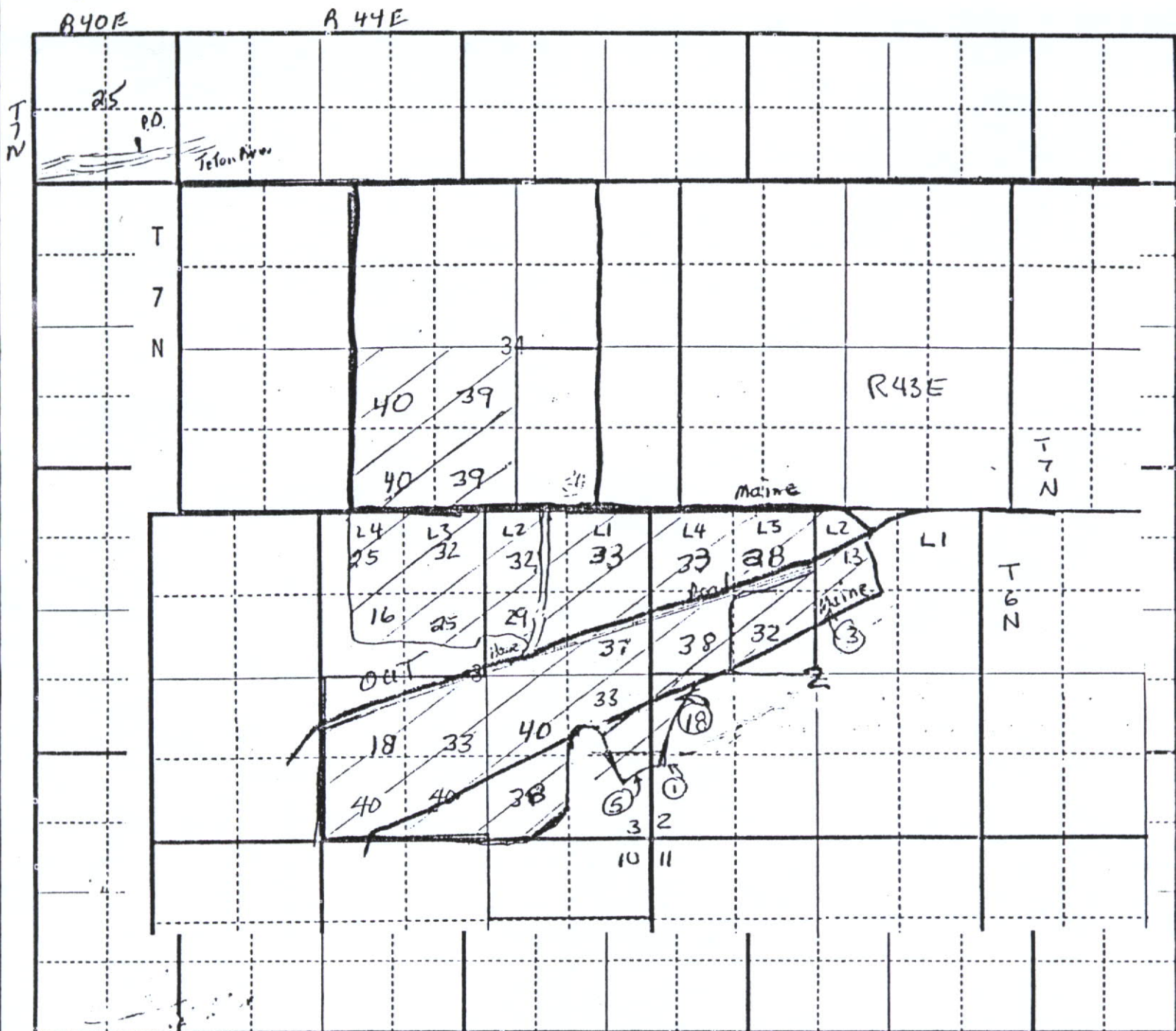
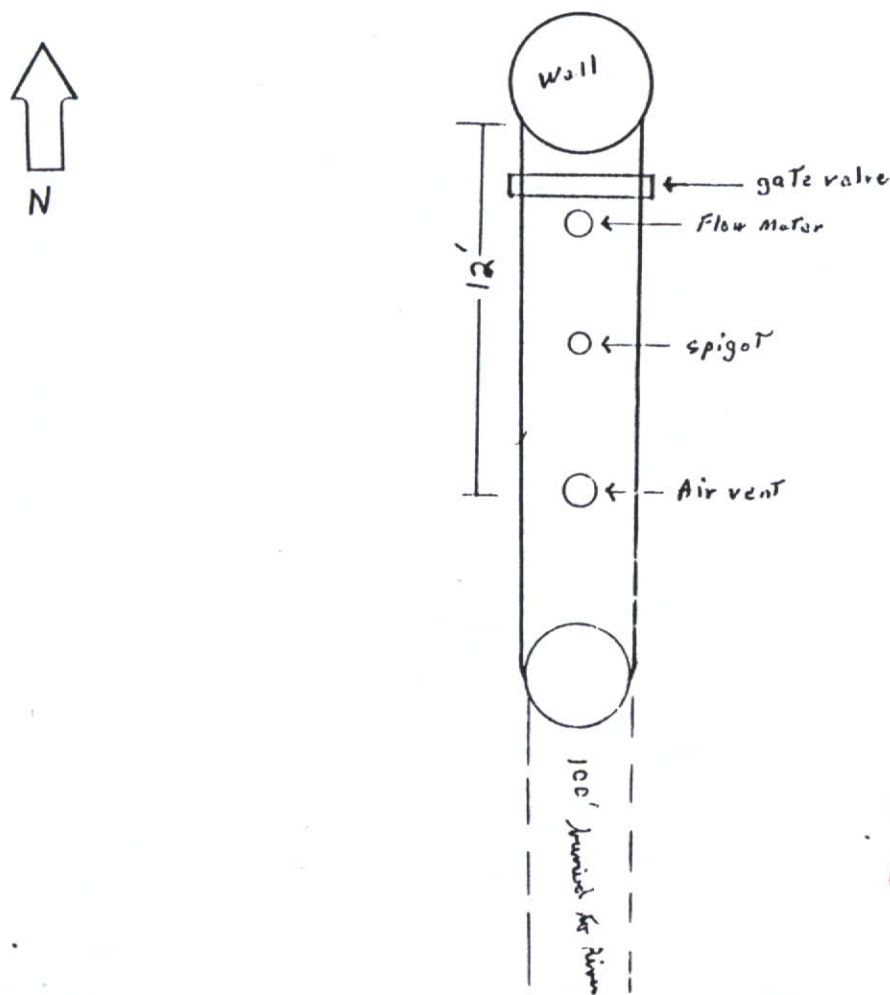
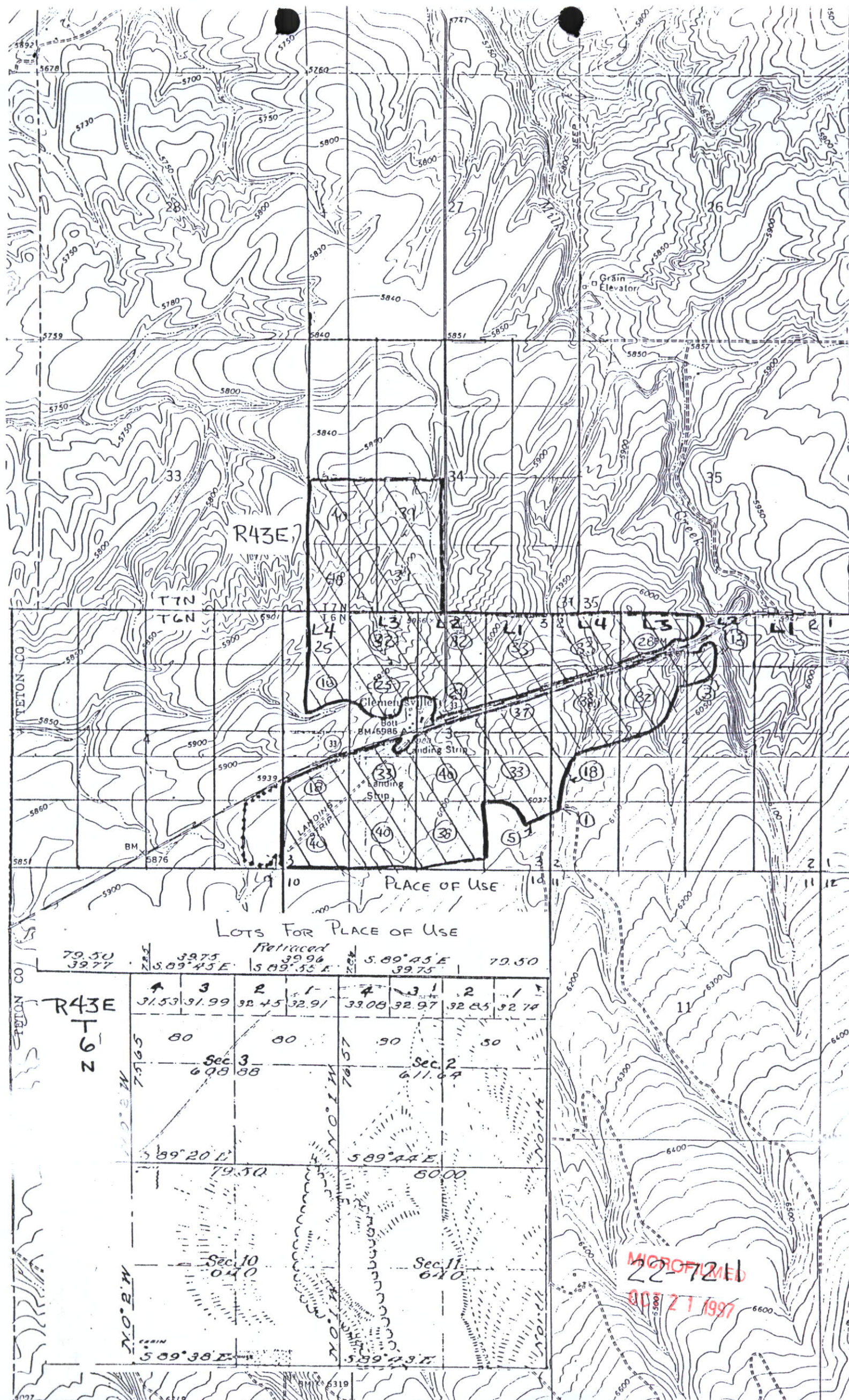


Diagram of System



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OCT 21 1997



**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Glen D. Nelson, Newdale, Idaho has on 40577 submitted Application No. 22-7221 for a permit to appropriate 6.00 cubic feet per second of water from a ground-water source by means of well and pump within the NE¹/₄ NW¹/₄, Sec. 20, T. 4N, R. 45E, B.M., Teton County. The water will be pumped into the Teton River and redirected at a point within the NW¹/₄ SE¹/₄, Sec. 3, SE¹/₄ SE¹/₄, Sec. 15, T. 6N, R. 44E, B.M., to be used from Apr. 1 to Nov. 1 for the irrigation of 1360 acres within the SE¹/₄ NE¹/₄, Sec. 8, NE¹/₄, SW¹/₄, Sec. 17, E¹/₄, Sec. 18, T. 6N, R. 44E; W¹/₄ E¹/₄, W¹/₄, Sec. 32, T. 7N, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 or before May 2, 1977.

Director

Published in the Teton Valley News, Driggs, Idaho on Apr. 14 and Apr. 21, 1977.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED

SEP 12 2003

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT 22-7208/7209/7211/7221/7295)
22-7216/7223/7235/7360/7375/7504)
TETON PIPELINE ASSOC

ORDER AUTHORIZING
TEMPORARY CHANGE TC-22-06

WHEREAS, a drought emergency has been declared for Madison
County to allow administrative actions to lessen the severe impacts of the drought
conditions in the counties; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a
drought emergency, the director of the Department of Water Resources ("Department")
is authorized to allow temporary changes in the point of diversion, the place of use, and
the purpose of use for valid existing water rights when the director determines that such
changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on 9/3/03, Teton Pipeline Assoc submitted the attached
Temporary Change Application TC-22-06 to the Department; and

WHEREAS, the Department has reviewed the application and has determined
the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the
following conditions:

22-7208, 22-7209, 22-7211, 22-7223, 22-7360
22-7221, 22-7295, 22-7216, 22-7235,

1. Diversion and use of right no(s). 22-7375 & 22-7504 is authorized only
at the point of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new
well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the
diversion and use of water under the temporary change approval cause
injury to other water rights, constitute an enlargement in use of the original
right, be inconsistent with the conservation of water resources within the
state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a

**ORDER AUTHORIZING
TEMPORARY CHANGE** TC-22-06

replacement water supply to lands or other uses which normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

- 22-7208, 22-7209, 22-7211, 22-7224, 22-7298,
22-7216, 22-7223, 22-7235, 22-7310,
22-7375, 22-7504
5. Right(s) 22-7375; 22-7504 are limited to the irrigation of a total of ~ 7860.4 acres in a single irrigation season.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The watermaster of Water District No. 01 is authorized to administer the temporary change approval.
11. This temporary change approval expires on 12/31/03 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 4th day of September 2023


**RONALD D. CARLSON
EASTERN REGION MANAGER**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Teton Pipeline Assoc. Phone 456-2801
Post Office Address % Mark Ricks, President, 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 purpose of use
- ☐
- Other

2. Describe the proposed change(s) and the reason(s) thereof
- Injecting well water into
-
- the Teton River to flow down the Henry's Fork. Water will be
-
- rediverted by Fremont-Madison Irrigation District at their discretion
-
- throughout the District.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE see attached sheet

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
				8-01-03 to 11-01-03
				to
				to
				to

2. Total amount of water being transferred
- 52.46
- ^{50.46 cfs *}
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- GROUNDWATER
- tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NW	NE	11	6N	40E	Madison	Two Exchange Wells #55316/55318
			SW	SW	15	6N	40E	Madison	Two Exchange Wells #55324/55326
			SE	SE	25	7N	40E	Madison	Two Exchange Wells #55198/55199

5. Lands irrigated or place of use:
- Lands under Fremont-Madison Irrigation District

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

* Amount reduced by TC-22-05

Total Acres _____

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6. General Information:

TC-22-06

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right District meeting held August 7, 2003
agreed to this transfer
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
These lands are now dried up.
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. Used on
Teton Pipeline Assoc. lands.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation would
continue.
- f. Describe other water rights used for the same purpose.
Surface water rights in Teton Pipeline will be used on remaining acres.
- g. Remarks: The amount of water being transferred shall not
exceed 52.46 cfs

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that 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. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Mark R. Ricks Pres.
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KW Date 9/3/03 Fee 50⁰⁰
Received KW 9/4/03 # E029154 Recommend: ☒ approve ☐ deny
Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-22-06

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

Witness my hand this 4th day of September, 2003:

R. D. Clark
For the Director

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OCT 07 2003

TETON PIPELINE ASSOCIATION
EXCHANGE WELL WATER RIGHTS

<u>Basin</u>	<u>Sequence</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Combined</u>	<u>Cumulative</u>
22	7208	License	2/10/1977	9.00	9.00	9.00
22	7209	License	2/10/1977	9.00	9.00	18.00
22	7211	License	2/22/1977	6.00		
22	7221	License	4/14/1989	3.44		
22	7295	License	7/12/1979	3.36	10.07	28.07
22	7216	License	3/4/1977	4.00		
22	7223	License	4/5/1977	7.00		
22	7235	License	6/7/1977	6.00		
22	7360	License	4/14/1981	2.00	11.95	40.02
22	7375	License	8/17/1981	12.44		
22	7504	License	7/1/1985	6.30	12.44	52.46
					Total	52.46

52.46
- 2.00 TC-22-05

50.46 cfs

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07221

Priority: April 14, 1989

Maximum Diversion Rate: 3.44 CFS

Maximum Diversion Volume: 1255.5 AF

This is to certify, that TETON PIPELINE ASSN INC
PO BOX 272

TETONIA ID 83452 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 6, 1977; and has submitted Proof of Beneficial Use on April 14, 1989. An examination indicates that the works have a diversion capacity of 10.070 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.44 CFS	1255.5 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SESE , Sec. 25, Township 07N, Range 40E
NWSE , Sec. 3, 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>
07N	44E	32	NWNE 39	SWNE 39	NENW 39	
			NWNW 39	SWNW 39	SENW 40	
			NESW 40	NWSW 38	SWSW 37	
			SESW 39	NWSE 39	SWSE 38	466

Total number of acres irrigated: 466

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

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OCT 21 1997

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07221

CONDITIONS OF APPROVAL AND REMARKS

6. 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.
7. 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.
8. Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.
9. 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.
10. 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.
11. The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
12. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
13. The combined rate of diversion under this right and Right Nos. 22-07211 and 22-07295 shall not exceed 10.07 cfs.
14. Water is redirected from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 16TH day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

06721 1997

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07223

Date of Priority: April 5, 1977

Maximum Diversion Rate: 7.00 CFS
Maximum Diversion Volume: 2520.0 AF

Comes now TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-07223, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	7.00 CFS	2520.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion SWSW , Sec. 15, Township 06N, Range 40E
MADISON County
NWSE , Sec. 3, 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	5	Lot 4(NWNW) 36	SWNW 38		74
		6	Lot 1(NENE) 24	Lot 2(NWNE) 34	SENE 7	65
07N	44E	30	NENE 35	NWNE 35	SWNE 35	
			SENE 35	NESE 35	NWSE 35	
			SWSE 35	SESE 35		280
		31	NENE 39	NWNE 32	SWNE 37	
			SENE 34	NESE 39	NWSE 40	
			SWSE 40	SESE 40		301

Total number of acres irrigated: 720

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Idaho, this 14 day of December, 1994.

MICROFILMED

OCT 21 1997

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07223

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee = 50⁰⁰ Received by Klt # C036874 Date 10/31/96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 22-07223 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. 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 the lands above.

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OCT 21 1997

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 22-07223

CONDITIONS OF APPROVAL AND REMARKS

7. No demand on upstream prior rights or existing prior exchanges can be made 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.
8. Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River.
9. 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.
10. 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.
11. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
12. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
13. Water is rediverted from the Clementsville (North 1 and 2) Project of the Teton Pipeline irrigation system.

Witness my hand this 16TH day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

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WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	22-07221	Glen D. Nelson	6.0
Full Assignment	22-07221	Teton Pipeline Assn., Inc.	6.0

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OCT 21 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Glen D. Nelson, hereby assign to Teton Pipeline Assoc., Inc.
(Permit Holder)
of Post Office Box 272, Tetonia, Idaho 83452
(Full Address)

All my right, title, and interest in and to Permit No. 22-07221
to appropriate the public waters of the State of Idaho. ~~22-07119~~

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 22nd day of September, 1994

Ken D. Nelson
Permit Holder(s)

State of Idaho)
) ss
County of Teton)

On this 02nd day of September, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

SEAL

Notary Public

~~MICROFILMED~~

OCT 21 1997

My commission expires: 11-20-99

Signature

Signature
Frederick A. Lyberty

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Glen D. Nelson Phone 456-2832

of (address) HC 60 Box 1209, Newdale, Idaho 83436, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 22-7221, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 25, Township 7N, Range 40E, B.M.,
County of Fremont. Other points of diversion: Rediversion from Teton River:
NW1/4 SE 1/4 Sec. 3 T6N R44E A.K.A. North project #1 Clementsville Pipeline.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.44 for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

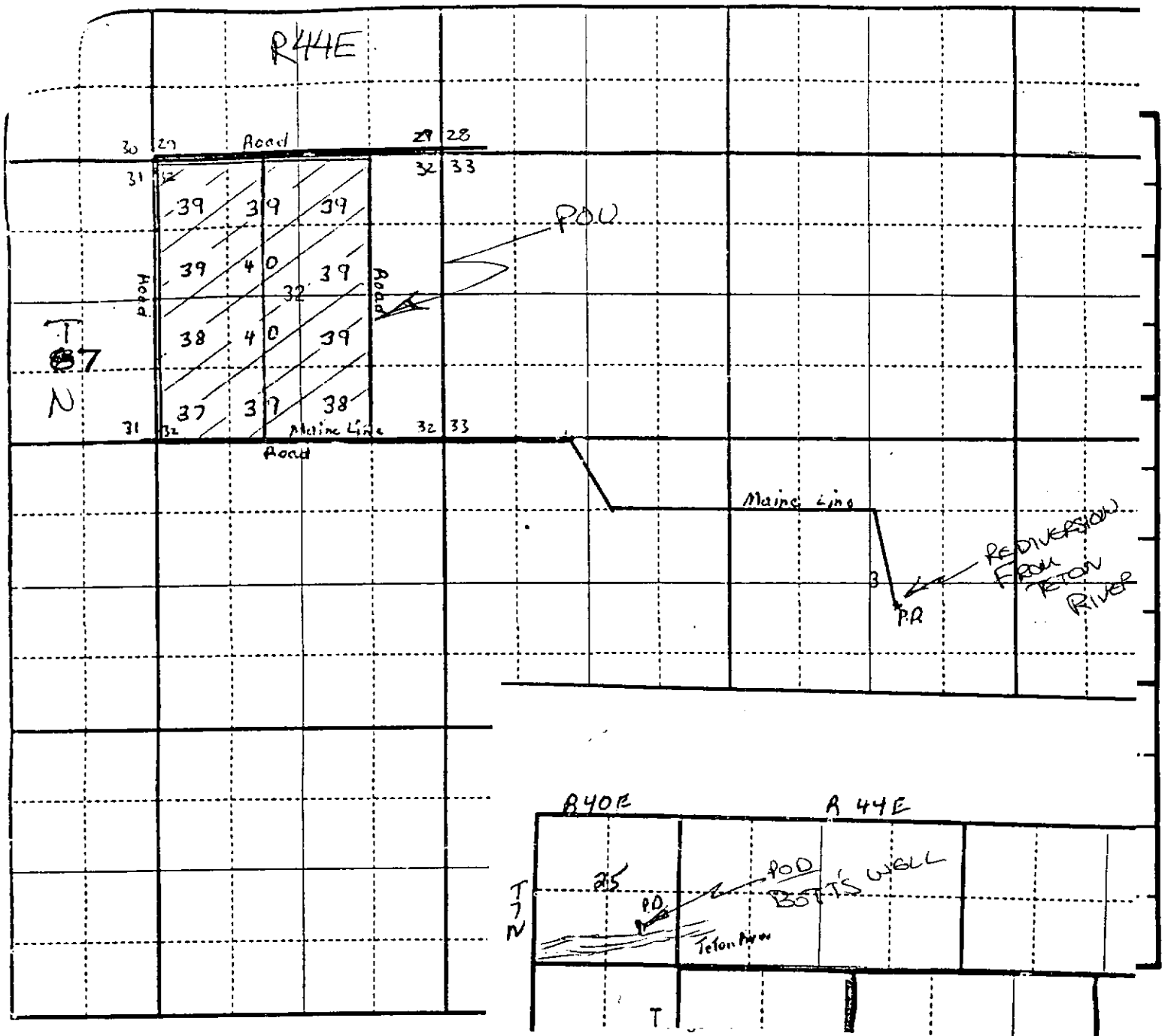
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	44E	32		39	39		39	39	39	40	40	38	37	39		39	38		466

Total number of acres to be irrigated = 466

4. a. Who owns the property at the point of diversion? Bott Land, Inc.
- b. Who owns the land to be irrigated or the place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: By agreement w/ Bott Land, Inc. and Clementsville Pipeline,
Applicant is given credit for excess water produced by Bott's exchange well
Teton River Water. Applicant wishes to amend permit to reflect this use of
groundwater.

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OCT 21 1997



X Signed at _____, this 24th day of January, 19 89.
Glen D. Nelson
 (Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by CWong Date 2/8/1990 # C014490
 Publication prepared by _____ Date _____ Published in _____
 Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
 Approve the above Amendment provided the conditions as set forth in Permit No.
22-7221 are met. The maximum combined rate of diversion under this right & Right
Nos. 22-7208/7209/7211/7295 shall not exceed 10.07 cfs.

Witness my hand this 5th day of March, 19 90.
L. Glen Saxton
 Chief, Waters Alloc. Bureau
 MICROFILMED

OCT 21 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 22-7221 IN THE NAME OF	)	ORDER OF REINSTATEMENT
GLEN D. NELSON	)	

This matter having come before the Idaho Department of Water Resources (Department) the Department finds as follows:

FINDINGS OF FACT

1. On June 17, 1977 the Director of the Department of Water Resources issued Permit No. 22-7221 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before June 1, 1982. The department later granted two separate requests for extensions of time in which to submit proof of beneficial use, thereby advancing the proof due date to June 1, 1987.

2. On March 31, 1987 the Department sent a proof due notice to the permit holder.

3. On June 4, 1987 the Department sent a lapse notice to the permit holders since neither proof of beneficial use nor a request for extension of time had been received from the permit holder.

4. On April 14, 1989 Proof of Beneficial Use was received by the Department from the permit holder.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the

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OCT 21 1997

extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder submitted evidence to confirm that water has been put to beneficial use. These documents include delivery records of the District 01 deputy watermaster and local water user associations which confirm the delivery of groundwater to a portion of the lands described under the permit and for which proof has been submitted.

7. The permit holder has stated that proof of beneficial use was submitted late because he did not believe proof could be submitted for a different well which supplied water for the same permitted use. Through the adjudication process, the permit holder learned that it was possible to submit proof and request a reinstatement of this permit.

CONCLUSIONS OF LAW

1. The permit holders have submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holders have shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

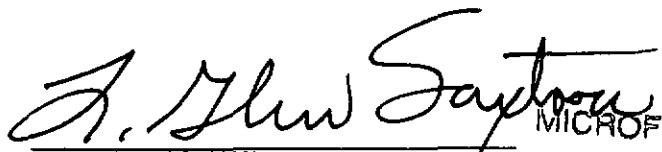
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 22-7221 is reinstated.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to April 14, 1989.

Dated this 14th day of December, 1989.


L. GLEN SAXTON
Chief, Water Alloc. Bureau
MICROFILMED
OCT 21 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

For Office Use Only
Fee Received \$15.00
Date 5-6-85 ew
Receipt # 3456

RECEIVED
MAY 6 1985

Department of Water Resources

Glen D. Nelson of Star Rt. Newdale Id
(Name) (Address)

State of Idaho, deposes and says

That he is the holder, or the duly authorized agent of the holder, of Permit to Appropriate the Public Water of the State of Idaho No. 227221

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 1985

That he has heretofore performed the following work described under said permit: None in addition to work completed prior to the last extension.
(This must be filled out if no work has been completed put none)

Costings _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
The Idaho Power litigation delayed any attempt on my part to develop the well.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to August 15, 1986
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1 1980
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Glen D. Nelson
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the proof of beneficial use is extended to June 1, 1987.

Signed this 28th day of May, 1985

L. Glen Saxton
Chief, Operations Bureau

Form 204
3-81

For Office Use Only
Fee Received <u>15.00</u>
Date <u>7-28-82</u>
Receipt # <u>24585</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

Glen Nelson of 2401 N. Nevada St. Boise
(Name) (Address)

State of _____, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public Water of the State of Idaho No. 22-2221.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 1985.

That he has heretofore performed the following work described under said permit: (1) Trial and
carid well to depth of 150 feet. pump it at
45 gpm. for 10 minutes & resulted in less than
200 gpm. (2) Chased to 12 casing & deepened well
to 220' in prospect of new aquifer. Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Now trying a new pumping system on old aquifer
involving both casings and compressed air
delivery. yet developed to working capability.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 1985.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Glen D. Nelson
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to June 1, 1985.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to May 28, 1977, pursuant to Sec. 42-218a, Idaho Code.

Signed this 2nd day of August, 19 82.

A. Glen Saylor
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 22-7221

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:
"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton
GLEN SAXTON
Chief, Operations Bureau

Identification No. 22 7221

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Glen D. Nelson Phone: 456-4295
post office address Star Route, Newdale, Idaho 83436
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 4N
Range 45E B.M. Teton County; additional points of diversion if any: _____
The water will be rediverted from the Teton River at a point within the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 6.00 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 18 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.00
8. Description of proposed uses:
a. If water is not for irrigation.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____ or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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	
6N	44E	8			40	40									40	40	40	40	240
		17	40	40	40	40					40	40	40	40					320
		18	40	40	40	40									40	40	40	40	320
7N	44E	32		40	40		40	40	40	40	40	40	40	40		40	40		480

Total number of acres to be irrigated 1360

c. Describe any other water rights used for the same purposes as described above.

Permit No. 22-7119 for Teton River water on land in Sec. 32, T. 7N, R. 44E

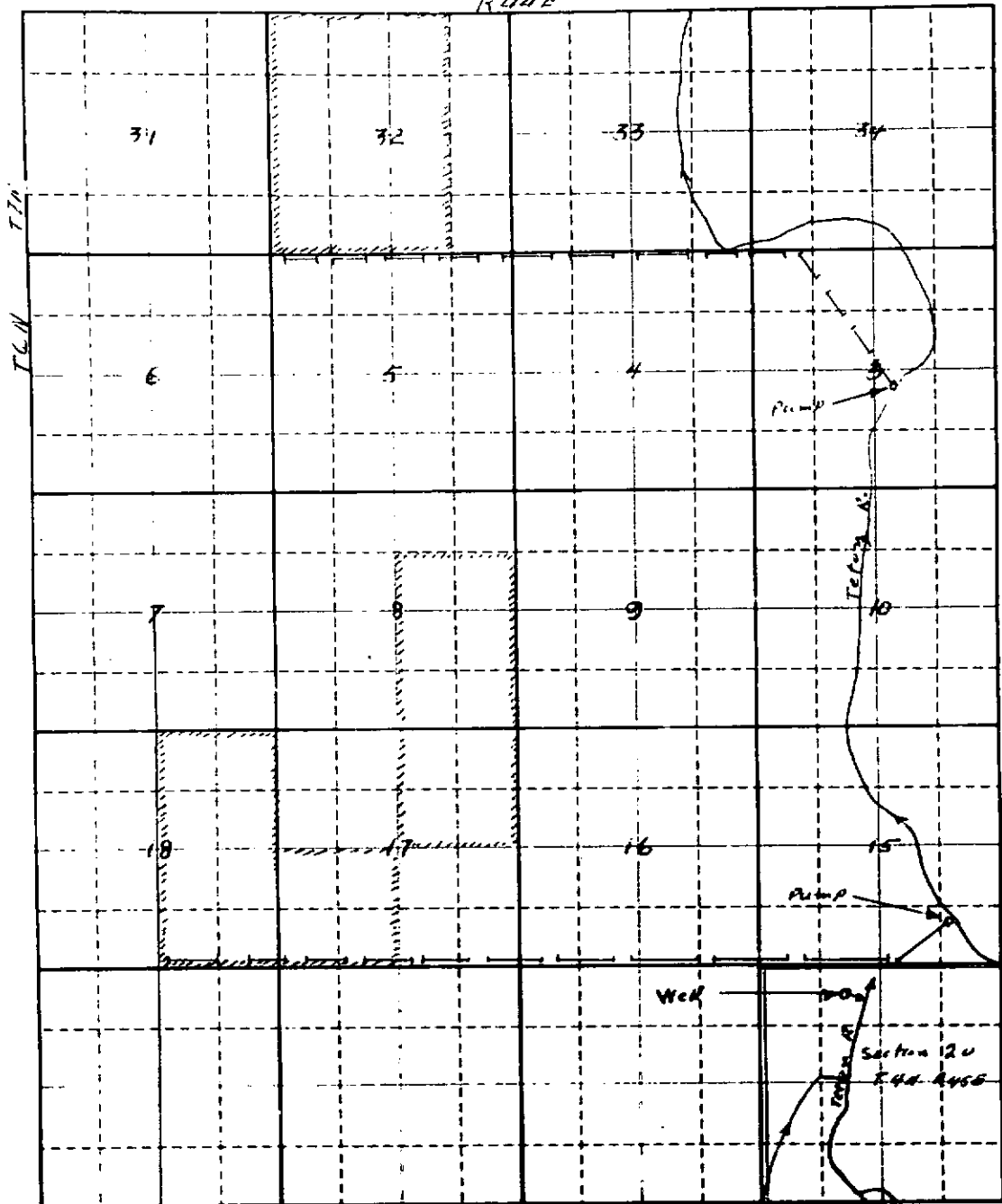
9. a. Who owns the property at the point of diversion Asa J. Drake

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant has a long-term lease with owner of property at well location

10. Remarks Water is to be pumped into the Teton River in exchange for water diverted at existing points of diversion downstream.

FILE



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Miss E Nelson
(Applicant)

Proposed Priority 41 6/77

Received by SL Date 4-16-77 In 5:15p
Preliminary check by SL Fee 5.00
Received by SL Date 4-16-77 HLG
Publication prepared by SL Date 4-16-77
Published in Idaho Valley Journal
Publication dates April 4-2-1977
Publication approved SL Date 4-23-77
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial SL

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7221, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 82.

c. Other: That the unperforated casing must be extended and sealed through the first permanent confining layer.

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

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

Witness my hand this 17 day of June, 19 77.

St. Francis Shan
Deputy Director

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

APR 25 1977

Deputy Sheriff
 Eastern District Office

[Signature]
 being first duly sworn depose and say

that I am the *[Signature]*
 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 at 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

Water permit H-22-1221

[Signature]

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 *14* day of *April*

19 *77*

and last publication on the *21*

day of *April*, 19 *77*

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen and one-half inches deep.

[Signature]

Subscribed in my presence and sworn

to before me this *23* day of

April, 19 *77*

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

My Commission expires

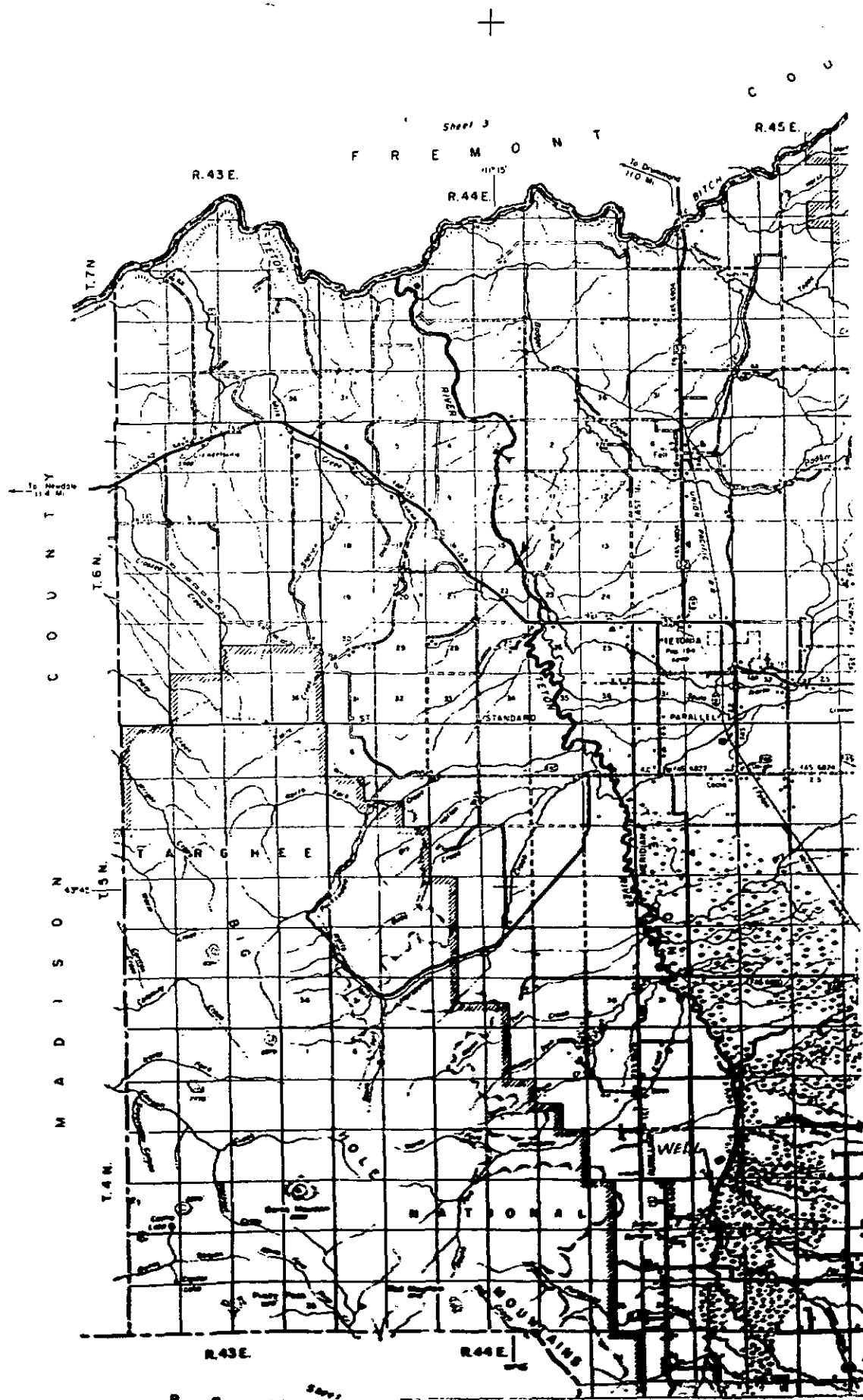
9-20-79

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Glen D. Nelson, Newton, Idaho, has on 4-24-77 submitted Application No. 20-1221 for a permit to appropriate 1.200 cfs in foot per second of water from a ground water source by means of well and pump within the NE1/4, Sec. 2, T. 4N, R. 4E, E.M., Teton County. The water will be pumped into the Teton River and rediverted at a point within the NW1/4, Sec. 2, SE1/4, Sec. 12, T. 6N, R. 4E, E.M., to be used from Apr. 1 to Nov. 1 for the irrigation of 1,200 acres within the SE1/4, Sec. 2, NE1/4, SW1/4, Sec. 17, E1/4, Sec. 12, T. 6N, R. 4E; W1/2, W1/4, Sec. 22, T. 7N, R. 4E, E.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1225 Lincoln Blvd., Idaho Falls, Idaho, 83401, or at the same May 2, 1977.

Witness my hand and seal of office this 23rd day of April, 1977.
 Published in the Teton Valley News, Driggs, Idaho on Apr. 24, 1977.



MEMORANDUM

TO: FILE 22-7221
FROM: VAULT
RE: TEMPORARY CHANGE TC-22-02
DATE: 9-10-01

=====

Original Temporary Change Application and correspondence regarding
this matter is located within:

FILE # 22-7216

MICROFILMED
OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452-0272

RE: WATER RIGHT NOS. 22-07108, 07111, 07116, 07119, 07120, 07121,
07122, 07148, 07157, 07180, 07186, 07208,
07209, 07211, 07216, 07221, 07223, 07235,
07295, 07360, 07375, 07504, 07505

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that a water right has been established in accordance with each permit referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described in the enclosed information sheet.

For your records I have also enclosed copies of your Application for Amendment of Permit forms as they apply to the above referenced water right numbers.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

OCT 21 1997

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of September, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Licenses) to the person(s) listed below:

Water Right Nos. 22-07108, 07111, 07116, 07119, 07120, 07121, 07122,
07148, 07157, 07180, 07186, 07208, 07209, 07211, 07216,
07221, 07223, 07235, 07295, 07360, 07375, 07504, 07505

TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452-0272


Kari Lynn Townsend
Secretary

MICROFILMED
OCT 21 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 19, 1995

RE: Teton Pipeline Assn. Inc. Water Rights

Roger Hoopes
PO Box 70
Rexburg, ID 83440-0070

Dear Roger:

I've had a chance to collect the information we talked about in our meeting last week. I guess the best place to start is with the easiest of explanations.

I've enclosed copies of the original permits and the aerial photos submitted by the field examiner for those permits which are ready to be licensed without amendments. I've also enclosed profile reports which show the parameters of the proposed licenses. In most cases, there is a reduction in acres as we discussed. Keep in mind that the proposed license for Permit 22-07120 may be amended to reflect the acres irrigated up to the highway - I will discuss that later in my letter.

I've enclosed the amendment for Permit 22-07295, which was overlooked previously. This amendment along with those for Permit Nos. 22-07116/07121/071257/07209/07375 need to be signed and returned to me at your earliest convenience.

The amendment for Permit No. 22-07208 falls into the same category as the proposed license for 22-07120 mentioned above. It appears that there is an elevation change from the rest of the lands shown by the examiner as irrigated. I ask that you provide a written statement as to how these additional acres are irrigated. Your statement can be used to document the files as to why additional acres are proposed for licensing from what the examiner recommended. I would estimate the additional acres to be about 19.

Next, you disagreed with the amendment for Permit No. 22-07180; specifically, the amendment shows irrigation of only the SENE and NESE of Section 16 and you stated that most of the entire section is irrigated under this right. I have examined a Landsat photo from July of 1988 and could verify irrigation in the W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SENE and N $\frac{1}{2}$ SE $\frac{1}{4}$. It is possible for us to include acres in these $\frac{1}{4}$'s based upon the Landsat evidence, however, you should be aware

MICROFILMED
OCT 21 1997

Roger Hoopes
January 19, 1995
Page 2

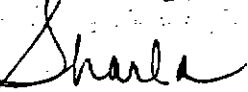
that the previous amendment included 478 acres and the permit originally allowed 640. Therefore, only a maximum of 168 acres can be added. I will wait to hear from you as to your agreement before I prepare another "amended" amendment.

We also talked about the rights originally in the name of J. Clint Hoopes. You stated that the reduction of acres on those rights was caused by the transferring of water to other acres which was never documented. I have discussed this matter with Jim also and I'm glad to say that the door isn't totally closed in this matter. If you can provide evidence that other lands were irrigated under these rights prior to the time proof of beneficial use was submitted, consideration will be given to allowing the addition of those acres. In addition to this evidence, you need to provide documentation as to why the place of use was moved, where the new acres are located and how many acres, as well as provide a system diagram to show how this "amended" place of use relates to these permits. I believe the permit numbers in question are 22-07208, 22-07121 and possibly 22-07375.

Finally, in regards to the new point of diversion we talked about being used for irrigation of lands within your system, the time to reflect the addition of this point of diversion is on the currently pending transfer you have before the department. After this batch of permits are licensed, you will no doubt want to take another complete look at the transfer and make whatever adjustments are necessary with the new licenses in mind and this would be the best opportunity to pick up the other point of diversion.

Well, I think that about wraps it up. We are making progress, really!! After you've had a chance to review all of this, give me a call or drop me a line if I can be of further assistance.

Sincerely,



SHARLA CURTIS
Water Right Permits Section

Enclosures

MICROFILMED

OCT 21 1997

MEMORANDUM

TO: File 22-07221

FROM: Sharla

DATE: December 7, 1995

RE: Licensing of Right

In my letter of 11/17/94, I requested a relinquishment of this right with the reasoning that Permit Nos. 22-07211 and 22-07295 supply the maximum volume for the acres covered under the three permits. While the point of diversion is the same well as these two other permits, the lands under 22-07221 are the same as Permit No. 22-07119 (diverted from the Teton River).

Permits 22-07211 and 22-07295 are to be licensed for a total of 9.36 cfs out of the 10.07 cfs capacity. These two rights also have the earlier priority dates. Therefore, Permit No. 22-07221 **can** be licensed for the lands in Section 32, T7N, R44E and will be limited by a condition to 10.07 cfs in combination with the previous two permits.

Finally, there is no field exam report for this file. The field exam copies that are in this file pertain to the other two permits referenced above. However, since the lands are the same as those under 22-07119 and the well's capacity was verified as in the copies of the exams in the file, licensing should be finalized based upon the information already confirmed.

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OCT 21 1997



ATTORNEY
AT LAW

RECEIVED
DEC 05 1994
Department of Water Resources

R.J. HOOPES LAW OFFICE CHARTERED

1305 South 200 East
P.O.Box 70
Rexburg, Idaho 83440-0070

R.J. HOOPES, ESQ.

356-6724

December 1, 1994

Sharla Curtis
State of Idaho
Department of Water Resources
1301 North Orchard Street
State House Mail
Boise, Idaho 83720-9000

Re: TETON PIPELINE ASSOCIATION, Inc. Water Rights

Dear Ms. Curtis:

The purpose of this letter is to confirm our telephone conversation earlier this morning. From that telephone conversation I understand that:

1. Your office will extend the deadline until December 15, 1994 to return the Amendments which you sent by cover letter dated November 17, 1994; and
2. That you will be sending me copies of the field examiner's reports for all the Water Rights referred to in your November 17, 1994 letter.

If my understanding is incorrect in any respect, please let me know.

There are a couple of other matters that I would like clarified. Your letter of November 17, 1994 makes reference to twenty one (21) different permits. Our records show that two (2) of these Water Rights (22-07100 & 22-07122) are licenses. Should these even have been made reference to in your letter? You sent us fourteen (14) amendments and one (1) abandonment. If my arithmetic is correct (21 minus 2 minus 14 minus 1) there are four permits that are not dealt with. May we assume that these will go to license without any changes, modifications, or amendments? Please let me know.

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Sharla Curtis
IDAHO DEPARTMENT OF WATER RESOURCES
December 1, 1994
Page Two

We at TETON PIPELINE ASSOCIATION appreciate you help and assistance on this matter. Thank you very much.

Sincerely yours;

A handwritten signature in black ink, appearing to read "R. J. Hoopes", written over the typed name.

R. J. Hoopes, Esq.

pc: File
All TPA shareholders
87-001

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OCT 21 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1994

RE: Teton Pipeline Assn. Inc. Water Rights

Teton Pipeline Assn. Inc.
PO Box 272
Tetonia, ID 83452

Gentlemen:

The following rights have recently been assigned to Teton Pipeline Assn. Inc. and the department's computer records have been modified to reflect this change of ownership:

Application for Permit Nos. 22-07504/07505/07667/07673
Permit Nos. 22-07108/07111/07116/07119/07120/07121/07122/
07148/07157/07180/07186/07208/07209/07211/
07216/07221/07223/07235/07295/07360/07375

The Department is ready to finalize license issuance for a number of the above mentioned rights. Before licenses can be issued on the majority of the permits, the permits must be amended to correspond with the findings of the Department's field examiner.

The enclosed Applications for Amendment contain information that will be included on the licenses when they are issued. The amendments reflect changes in the locations of the place of use descriptions. Please review carefully and if you concur, sign the amendments and return with the filing fees within 14 days (\$50.00 for each amendment). A \$20.00 amendment fee was previously paid for Permit No. 22-07180; this fee can be credited to the amendment fees now sought.

Also enclosed is a relinquishment form for Permit No. 22-07221. Permit Nos. 22-07211 and 22-07295 supply the maximum volume for the acres covered under the three permits, therefore, no additional beneficial use was found under Permit No. 22-07221. In order for us to clear our records of this right, we ask that you sign the relinquishment form and return it with the amendments for the other permits.

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Teton Pipeline Assn. Inc.
November 17, 1994
Page 2

Once we have received the relinquishment form and applications for amendment, we can proceed with license issuance. If you have any questions, feel free to contact our office.

Sincerely,

for *Sharla Curtis*

JIM JOHNSON, Manager
Water Right Permits Section

JJ:sc

Enclosures

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OCT 21 1997

MEMORANDUM

TO: File
FROM: Sharla
DATE: November 16, 1994
RE: Assignment Fees

The assignments of numerous "Teton Pipeline" rights were received after July 1, 1994 when fees became required for assignments. These assignments, however, had been solicited by the department prior to July and it was decided that no fees would be charged for the assignments to Teton Pipeline Assoc., Inc.

Correspondence concerning these assignment forms can be found in Right 22-07122.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 2, 1995

Roger Hoopes
Box 70
Rexburg, ID 83440

Dear Mr. Hoopes:

Well, are you ready for the next round? Some time has passed since we last discussed the rights we are trying to license in the name of Teton Pipeline Assn. Inc.

You will recall that one of the last things we had discussed was the reduction under several of the permits of some acres originally owned by J. Clint Hoopes. The reduction was caused by the transferring of water to other acres but this had never been documented with the department. When you, Jack and I had spoke, you both indicated that you would sign off on the reduced amendments if the two applications for permit which had been filed to cover these lands would be approved. Believe it or not, enclosed are the approved permits.

With this new development, I would like to arrange a meeting with you to finalize the licensing process for the remaining permits. Amendment fees still need to be paid, several of the amendments need to be signed, etc. We could hopefully wrap this up so that the licenses can be forwarded for signature. Please give me a call (208)327-7945 at your earliest convenience so we can schedule such a meeting. I look forward to hearing from you.

Sincerely,

SHARLA CURTIS

Water Right Permits Section

Enclosures

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OCT 21 1997

WR5809NP
No. L22-07221

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/31/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TETON PIPELINE ASSN INC PO BOX 272 TETONIA ID 83452	04/14/1989	IRRIGATION	04/15 10/15	3.440 CFS	1255.50 AFA
TOTAL DIVERSION:					3.440 CFS	1255.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 10.070 CFS

Point(s) of Diversion: T07N R40E S25 SESE

FREMONT County

Point(s) of Re-diversion: T06N R44E S03 NWSE

TETON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
07N	44E	32			39		39			39		39		39		40		40		38		37		39			39		38		466.0	
TOTAL ACRES																												466.0				

Pou County: FREMONT

Other Water Rights with Same Point(s) of Diversion and Source:

22-07208	22-07209	22-07211	22-07221	22-07295	22-07504	22-07740	L22-07208	L22-07209	L22-07211
L22-07216	L22-07223	L22-07295	L22-07360	L22-07375	L22-07504				

Other Water Rights Listing Overlapping Place(s) of use:

22-07119 22-07221 L22-07108Z L22-07119

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- R30 - 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 the lands above.

Remarks:

No demand on upstream prior rights or existing prior exchanges can be made 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.

Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River.

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.

Remarks: 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.

The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.

Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.

The combined rate of diversion under this right and Right Nos. 22-07211 and 22-07295 shall not exceed 10.07 cfs.

Water is redirected from the Clementsville (North 1) Project of the Teton Pipeline irrigation system.

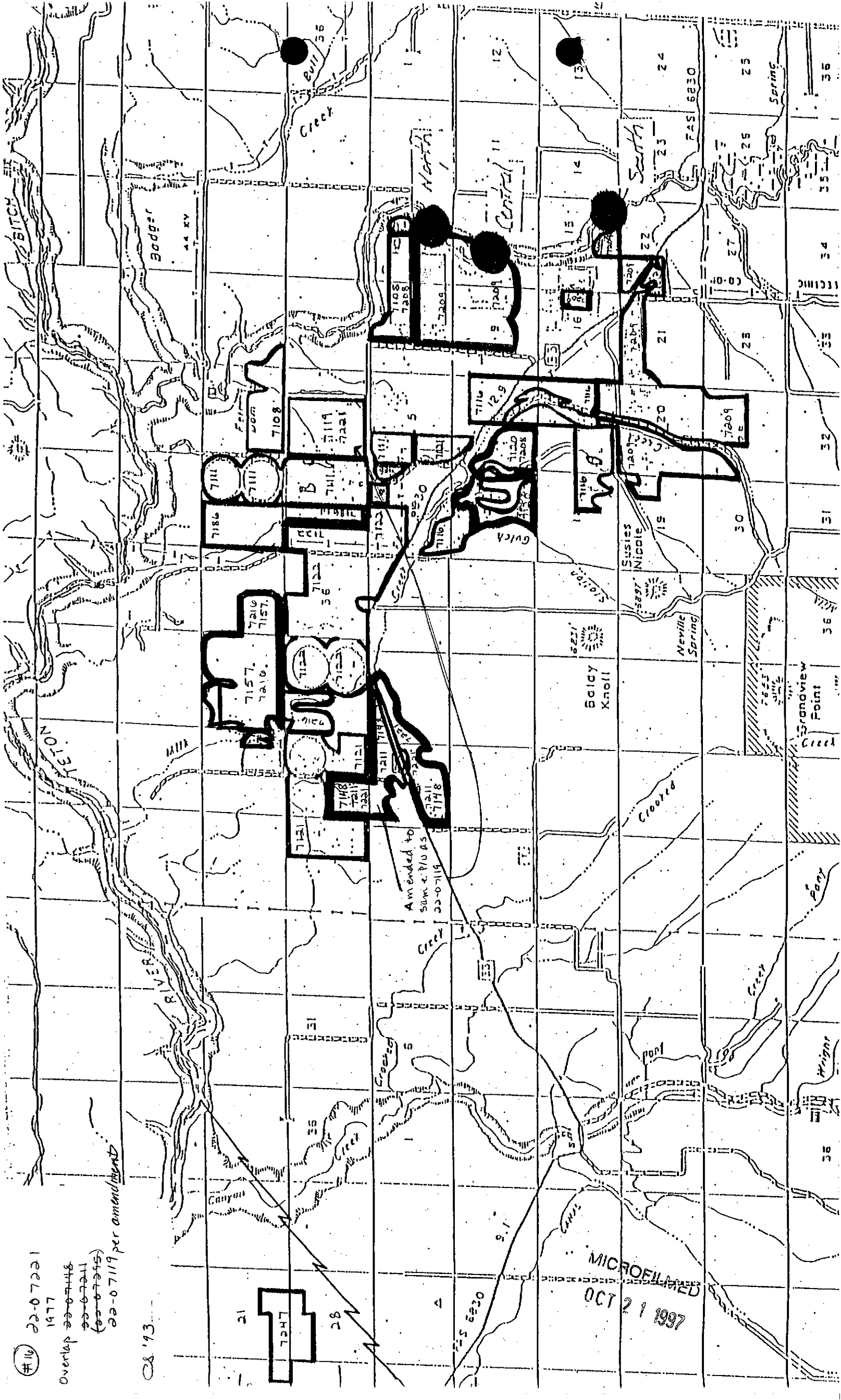
Dates: App. Received: 04/06/1977 Priority Date: 04/14/1989 (Priority Date Advanced.)
Proof Due Date: 06/01/1982 Proof Made Date: 04/14/1989 (Proof Received Late.)
Exam Made Date: 01/01/1995 Exam Sent to S.O.: 01/01/1995
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: R (Received)

Audit: 12/07/95 SCURTIS 12/07/95 SCURTIS 12/07/95 SCURTIS

#16 22-07221
1477
Overlap 22-07118
22-07221
22-07295
22-07119 per amendments

08 '93



March 8, 1990

RE: Permit No. 22-7221

Glen D. Nelson
HC 60, Box 1209
Newdale, ID 83436

Dear Mr. Nelson:

Enclosed is a copy of the approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY:

Kay Walker

Right Number

22-7221

Applicant

Glen D. Nelson

Purpose of Amendment:

☒ Change point of diversion.

☐ Add diversion point(s).

☐ Increase amount.

☐ Change place of use.

☐ Other

CHECK:

☒ Description of amended point(s) of diversion.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Description of amended places of use. If expanded, delay date of priority.

☒ Ownership of point of diversion and place of use.

☐ Stream index information (reverse).

☒ Map.

☒ Signature (must be permit holder).

☒ Fee.

☐ Existing water rights from the same source, amended place of use.

☐ Right number(s) 22-7208/7209/7211/7295

☐ Yes ☐ No Should amendment be advertised?

☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

☐ Affidavit of publication received.

☐ Amendment published correctly.

☐ Protests processed.

☐ Approve.

☐ Deny.

Conditions _____

when this occurs it is difficult to determine the exact capacity of the diversion system, therefore, the right needs special conditions to limit the right when combined with the other rights to the capacity of the diversion system.

By 10.07 cfs (22-7295) Date _____

STATE OFFICE PROCESSING:

☒ Amendment correct and complete. By Kay Walker Date 3/5/90

☐ Approved copy sent to applicant and to Region. By _____ Date _____

Condition:

R17(22-7208, 22-7209, 22-7211 + 22-7295 shall not exceed 10.07 cfs) & must comply w/permit conditions

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 5, 1990

RE: Permit No. 22-7221

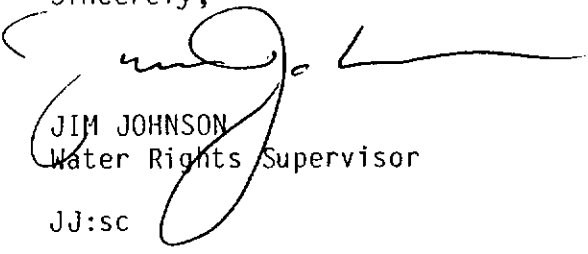
Glen D. Nelson
HC 60, Box 1209
Newdale, ID 83436

Dear Mr. Nelson:

In January of 1989 you submitted an application for amendment of the above referenced permit. The amendment application was held pending the outcome of the reinstatement process. The permit was reinstated and is now once again a valid water right. Therefore, we can process the amendment application as soon as we receive the \$20.00 filing fee.

Please submit the fee at your earliest convenience. If we can be of further assistance, please feel free to contact our office.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:sc

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 19, 1989

RE: Permit No. 22-7221

Glen D. Nelson
HC 60 Box 1209
Newdale, Idaho 83436

Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Before a license can be issued, a field examination will be made by a representative of this Department. Enclosed is an Order of Reinstatement. Please note that the priority date has been advanced to April 14, 1989.

If you have any questions regarding this matter, please contact this office or our State ~~Regional~~ Office at 327-7947.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:at

Enclosure

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OCT 21 1987

Glen D. Nelson
HC60 box 1209
Newdale, Id. 83436
Nov. 17, 1989

RE: LAPSED PERMIT # 22-7221

State of Idaho
Department of Water Resources
1301 Orchard St.
Boise, Id. 83720

RECEIVED
NOV 21 1989

Department of Water Resources

Dear Mr. Luke

I am sorry for the delay in answering your much appreciated letter. I have had mixed emotions about refiling for the permit, because of the rules regarding a placing of a later date on the priority. I feel the record shows that I used the water as early as 1979 and feel the old rule "first in time first in right" applies. The other reason is that If I had a later date than my neighbors who use the same system, there would be a danger of a partial system cutback in some year. Since this is a unique system, with wells an integral part of it, the practicality of reducing flow from a well is not feasible for the short time.

Thank you again for your concern and help with this permit.

Sincerely,

Glen D. Nelson

Glen D. Nelson

*P.S. I am enclosing a check for 175⁰⁰
to misstate.*

C013004
11-24-89
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OCT 21 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 18, 1989

RE: Lapsed Permit No. 22-7221

Glen D. Nelson
HC 60, Box 1209
Newdale, ID 83436

Dear Mr. Nelson:

Please review the attached correspondence dated 8/8/89. Department records show that you have not yet responded to this correspondence.

The permit will remain lapsed until such time as the additional information is submitted.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

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OCT 21 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 8, 1989

RE: Lapsed Permit No. 22-7221

Glen D Nelson
HC 60, Box 1209
Newdale, ID 83436

Dear Mr. Nelson:

I am returning to you a copy of the proof of beneficial use statement for the above referenced permit which you submitted to the department in April of this year. The form is being returned to you because you did not submit a field examination fee.

The water right filings and history of water use associated with the Teton and Clementsville pipeline projects is rather complex. Consequently, some time was required in order to sort through the various water rights and obtain some type of understanding of the overall situation. The time required to study this situation has caused a delay in responding to your reinstatement request.

At this point in time, I believe I can recommend this permit for reinstatement. This does not mean, however, that it will ultimately be approved since the final decision does not rest with me. Before I can recommend reinstatement though I must request that you first submit the license examination fee. A copy of the fee schedule is enclosed. The fee schedule is arranged according to diversion rates. The proof statement and amendment application submitted earlier this year lists irrigation of 466 acres and a diversion rate of 3.44 cfs. I recommend that you submit a fee based on the 3.44 cfs diversion rate, or \$175.00.

In the event that the reinstatement request is ultimately denied, the department will refund your exam fee. Please feel free to call me if you have questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosures

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OCT 21 1989

MEMORANDUM

TO: FILE 22-7221

FROM: JIM JOHNSON

RE: REINSTATEMENT OF PERMIT

DATE: August 3, 1989

=====

Tim, in his memo of July 25, 1989 raises some questions on confirming water use under the above referenced lapsed permit. He states that the land covered by the permit was irrigated during the period authorized, however, there is some question as to where the water source used for the irrigation originates.

I recently completed the review of several rights used as part of a project known as the Clementsville pipeline and the parent Teton Pipeline Association. During this review I became familiar with the Clementsville pipeline system used to supply water to the lands of the right holders which the holder of this lapsed permit is part of.

The well that the permit holder originally identifies was not put into production, water instead, was supplied from several groundwater wells drilled under the Teton pipeline project (see the attachment Nos. 1 thru 7 for well locations and capacities) replacing water that was to be supplied by Teton Reservoir. The permit holder, as a shareholder, receives his proportion of water as it is rotated among the several users participating in the project.

The sum of the rate of diversion of the water rights filed exceed the diversion capacity of the system of Clementsville wells. When this occurs it is difficult to determine the rate each water right holder actually uses, therefore, the right needs special conditions to limit the right when combined with the other rights to the capacity of the diversion system. These conditions should be added to this right.

The permit holder has provided sufficient evidence to show that the source of irrigation does originate from the Clementsville pipeline system and the permit must be considered to be in use

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OCT 21 1997

and should be reinstated.

The field examination fee should be based on the rate of flow identified on the Application for amendment of permit filed by the right holder.

?

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OCT 21 1997

This file contains information concerning the processing of rights known as the "Teton Pipeline".

WR No.	PRIORITY	S/G?	POD	Q	AFA	TOTAL Q	TOTAL VOLUME
22-7044A	03/26/71	S	3	1.36	213.7	14.00	6306.1
-7044B	03/26/71	S	4	2.65	416.3	7.73	3989.7
-7100	08/07/74	S	3	6.98	1683.0	7.02	4623.1
-7108	10/11/74	S	1/2	9.0	1861.2	28.46	14039.4
-7110	10/15/74	S	4	5.12	1824.0	2.61	2165.7
-7111	11/12/74	S	1/2	10.0	1965.0	18.46	12074.4
-7116	12/03/74	S	3	10.0	2208.0	-	2415.1
-7119	12/10/74	S	1	6.0	1398.0	12.46	10676.4
-7122	12/31/74	S	1	12.0	3591.0	0.46	7085.4
-7120	01/14/75	S	3	5.0	1392.0	-	1023.1
-7121	01/14/75	S	1/2	8.0	2421.0	-	4664.4
-7148	07/23/75	S	1	7.0	2400.0	-	2264.4
-7157	08/06/75	S	1	4.5	1910.1	-	354.3
-7159	08/18/75	S	3	1.9	285.0	-	738.1
-7180	04/01/76	S	3	9.56	1434.0	-	-
-7181	04/01/76	S	4	3.20	430.0	-	1735.7
-7186	04/27/76	S	1/2	11.16	1674.0	-	-
-7392	03/22/82	S	4	7.18	1140.0	-	595.7
22-7208	02/10/77	G	5/6	9.0	3820.2	9.28	3,939.0
-7209	02/10/77	G	5/6	9.0	3820.2	0.28	118.8
-7211	02/22/77	G	6	6.0	2400.0	-	-
-7216	03/03/77	G	7	4.0	1697.9	7.95	3,374.5
-7223	04/05/77	G	7	7.0	2160.0	0.95	1,214.5
-7235	06/07/77	G	7	6.0	2208.0	-	-
-7247	06/10/77	G	5	5.6	840.0	-	-
-7295	06/12/79	G	6	3.36	1426.2	-	-
-7360	04/14/81	G	7	2.0	848.9	-	-
-7375	08/17/81	G	5	11.87	2301.0	-	-

No.	POD	Description	Capacities	
			Q	V
1	NWSE Sec.03 T06N R44E	North Project #1	28.7	12182.3
2	NWSE Sec.03 T06N R44E	North Project #2	8.76	3718.3
3	SESE Sec.15 T06N R44E	South Project	15.36	6519.8
4	SENE Sec.10 T06N R44E	Central Project	10.38	4406.0
5	NENE Sec.11 T06N R40E	groundwater exch.	11.87	5038.4
6	SESE Sec.25 T07N R40E	groundwater exch.	6.41	2720.8
7	SWSW Sec.15 T06N R40E	groundwater exch.	11.95	5072.4

MICROFILMED

OCT 21 1997

MEMORANDUM

TO: JIM JOHNSON

FROM: TIM LUKE

DATE: July 25, 1989

RE: REINSTATEMENT OF PERMIT 22-7221
TETON PIPELINE ASSOCIATION

=====

We have discussed the reinstatement of this permit and the complexities involved with the rather unique Teton Pipeline Association.

The lands under permit 22-7221 for which the permit holder, Glen Nelson, is attempting to submit proof on are lands covered by an existing Teton River permit. Those lands have been irrigated as evidenced by a 1979 or 1980 field exam for that permit. The lands under 22-7221 for which Nelson wants to submit proof on to reflect supplemental groundwater use are certainly part of the Teton/Clements ville Pipeline projects. The well which Nelson is attempting to submit proof on is a well owned by Bott Land Inc. Nelson appears to state that the Bott well has excess capacity that should be reflected by his lapsed permit, 22-7221, which was originally filed for a separate groundwater injection well.

The measured capacity of the Bott well, as of the latest field exam in 1984, was 10.07 cfs. Permit no.s 22-7211, 7295, 7208 and 7209 are all associated with the Bott well and I believe, cumulatively add up to more than 10.07 cfs. Nelson's permit if reinstated, may require special conditioning concerning the total capacity of the well in conjunction with the other rights. I am still unsure as to whether Nelson needs to submit additional evidence concerning the use of the Bott well. Does he need to show that more water was pumped from the well than what could satisfy the existing rights which have the same POD?

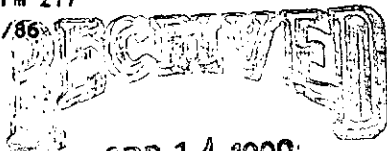
There are several other questions or problems associated with this. First, the Bott well is located just inside the trust water area. If the permit is reinstated, it could be processed out of sequence. However, other trust water considerations may apply. Second, the permit holder has not yet submitted a license exam fee to accompany the proof. How do we determine the amount of the exam fee he should pay?

It appears that we need to contact Nelson and ask for an exam fee if we feel the permit will be reinstated. I am not certain what fee he should pay or what additional information, if any, is required.

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OCT 21 1989

03/86



APR 14 1989

no \$ enclosed *K24*
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received ~~\$~~ 175.⁰⁰
Date 11-24-89
Receipt # CN13004
Receipt by OK
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-7221 or 22-7211Name(s) of Permit Holder: Glen D. and Bonnie S. NelsonPost Office Address: HC 60 Box 1209Telephone No. (208) 456 2832Source of Water: groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 449 (acres)Other/Remark I am filing onthe amount of use by permit # 22-7119.

Total rate and/or volume for which proof is submitted _____ cts _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1979 or earlier

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Glen Nelson

(Name)

(208) 456 2832

(Telephone Number)

HC 60 Box 1209Newdale Id 83436

(Address)

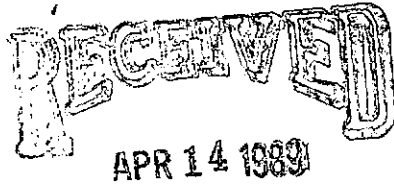
The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

OCT 21 1997

Glen D. Nelson

Date

Signature of Permit Holder (and title, if appropriate)



Department of Water Resources

Glen D. Nelson
HC 60 Box 1209
Newdale, Idaho
83436
April 13, 1989

State Of Idaho
Department of Water Resources
Timothy P. Luke
Sr. Water Resource Agent

Dear Sir.

Find File.

I am writing to again try to prove beneficial use on permit number 22-7221.

In answer to your letter of February 13, 1989, I feel that I now have, with the assistance of Mr. Jones of our Idaho Falls office, enough information to prove quantitatively my use of exchange well water through our Clementsville Pipeline system.

Enclosed you will find several documents showing that I have as a member of Clementsville Pipeline Incorporated and through our supplying or larger organization, Teton Pipeline Association been a beneficial user of irrigation water.

Exhibit #1 is a yearly listing of acre feet of water delivered through, first the Teton Pipeline Association, (TPA) listed in Exhibit #2, then our irrigation company, The Clementsville Pipeline Incorporated, or North Project #1. In column 6, I have listed the acre feet contributed to the systems by the exchange wells owned by all members of the TPA. Please note the division on Exhibit #2.

The other two exhibits, # 3 and # 4 are records showing the history of various permits as they were filed and proved up on by the members of the TPA. My own permit #22-7119 is shown and I would like to also have a permit showing the sharing of use with the original acre feet produced by groundwater-permit # 22-7211, owned by Bott Land.

Especially I would like you to note the excess water produced by Bott Land in Exhibit # 3, showing a leftover amount of 4.33 cfs and Mr. Bott's willingness to cooperate with other members of the company to use the full amount produced by the well. The extent of the development of the

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*per skip. All (and) S
were not included in Keltner
re-examination because
permit had not been provided.*

exchange well # 22-7211 is more nearly used in total by supplying the use from the Teton River by permits # 22-7148 and # 22-7119.

The beneficial use evidence has been filed late because:

1. I originally believed that my groundwater permit, #22-7221 was a permit designed to be used only if the well produced enough water to prove up on. In other words I presumed the permit was not transferrable.

2. I did not realize that the Teton Pipeline Association would not file as a group when the adjudication filing was done last summer. Therefore the Bott well was not filed on to the full extent of its production.

Sincerely,

A handwritten signature in cursive script that reads "Glen D. Nelson".

Glen D. Nelson

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TETON PIPELINE ASSOCIATION AND
CLEMENTSVILLE PIPE LINE INCD
YEARLY COMPARATIVE OPERATION

YEAR	ACRE FT DELIVERED					WELLS
	1 KWH	2 TFA	3 CLEM F	4 NEL	5	
1976	2246300.0		1898.00			
1977	2246300.0					
1978	2931600.0			282.98		
1979	2838000.0					818 ² ?
1980	2447600.0		2287.00	226.5		1975 ¹
1981	3177600.0	5961.71	3187.45	280.83		3679 ²
1982	2114000.0	3052.90	2974.00			
1983						
JUN	284000.0					
JUL	947200.0					
AUG	318000.0					
	105600.0		2227.00			
1984			1539.84	140.75		
1985						
JUN	1200560.0					
JUL	1271240.0					
AUG	689800.0					
TOT	3161600.0	6561.66	3674.32	369.34		1224 ²
1986						
JUN	928920.0		1243.31			
JUL	1518200.0		1567.86			
AUG			884.34			
			3695.51			
1987						
JUN	489000.0		859.15			
JUL	1111880.0		970.20			
AUG			812.70			
			2642.05	160.80		
1988						
JUN	02548632		1511.60			
JUL	4980729.0		2010.67			
AUG	1238840.0		1465.18			
	413200.0	9830.51	459.06	413.53		2384 ²
	6632769.0		5446.51			

1. Our own watermaster Report.

2. Watermasters Report, Water District #1.

1979 Pg. A-346 to A-348

1981 Pg. A-365 to A-369

1985 Pg. A-366 to A-369

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TETON PIPELINE ASSOCIATION AND
 CLEMENTSVILLE PIPE LINE INCO
 YEARLY COMPARATIVE OPERATION

YEAR	ACRE FT DELIVERED					WELLS
	1	2	3	4	5	
		KWH	TPA	CLEM P	NEL	
1976	2246300.0			1898.00		
1977	2246300.0					
1978	2931600.0				282.98	
1979	2838000.0					818 ²
1980	2447600.0			2287.00		1975 ¹
1981	3177600.0	5961.71	3187.45	280.83		3679 ²
1982	2114000.0	3052.90	2974.00			
1983						
JUN	284000.0					
JUL	947200.0					
AUG	318000.0					
	105600.0			2227.00		
1984				1539.84	140.75	
1985						
JUN	1200560.0					
JUL	1271240.0					
AUG	689800.0					
TOT	3161600.0	6561.66	3674.32	369.34		1224 ²
1986						
JUN	928920.0			1243.31		
JUL	1518200.0			1567.86		
AUG				884.34		
				3695.51		
1987						
JUN	489000.0			859.15		
JUL	1111880.0			970.20		
AUG				812.70		
				2642.05	160.80	
1988						
JUN	02548632			1511.60		
JUL	4980729.0			2010.67		
AUG	1238840.0			1465.18		
	413200.0	9830.51	459.06	413.53		2384 ²
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1979 Pg. A-346 to A-348

1981 Pg. A-365 to A-369

1985 Pg. A-366 to A-369

1997
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Exhibit 2

Teton Pipeline Association

PROJECT	PERMIT #	SOURCE	NAME	% OWNERSHIP
North 1 & 2	22-7108	TETON RIVER	J. Clint Hoopes	20% North Proj. #1 50% North Proj. #2
	22-7121	TETON RIVER	J. Clint Hoopes	
	22-7208B	GROUNDWATER	J. Clint Hoopes	
	22-7375A	GROUNDWATER	J. Clint Hoopes	
North 1 & 2	22-7111	Teton River	Darrell Ard	8% North Proj. #1 50% North Proj. #2
	22-7186	Teton River	Darrell Ard	
	22-7223	Groundwater	Darrell Ard	
North # 1	22-7119	Teton River	Glen Nelson	12% North Proj. #1
North # 1	22-7122	Teton River	Max & Merrill Rammell	20% North Proj. #1
North # 1	22-7148	Teton River	Bott Land Inc.	20% North Proj. #1
	22-7211	Groundwater	Bott Land Inc.	
	22-7295	Groundwater	Bott Land Inc. - Recommend cancellation	
North # 1	22-7157	Teton River	Teton Georgic Inc.	20% North Proj. #1
	22-7178	Teton River	Teton Georgic Inc.	
	22-7216	Groundwater	Hink Inc.	
	22-7360	Groundwater	Hink Inc.	
Central (Boelke) Project	22-7181	Teton River	Ehco	100% Central (Boelke) Project
	22-7209B	Groundwater	Ehco	
	22-7375B	Groundwater	Ehco	
	22-7392	Teton River	Ehco	
South Project	22-7116	Teton River	Rex & Larry Ard	33.3% South Proj.
	22-7235	Groundwater	Larry Ard	
South Project	22-7120	Teton River	J. Clint Hoopes	16.7% South Proj.
	22-7208A	Groundwater	J. Clint Hoopes	
South Project	22-7180	Teton River	Ehco	50% South Project
	22-7209A	Groundwater	Ehco	
#1	North Projects now combined.			

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ON 5/21/1997

Exhibit 3

INTER-DEPARTMENT MEMO — 1

FROM KEITH C. WILSON

DATE 24 NOVEMBER 1986

TO FILE 227295

SUBJECT RELINQUISHMENT OF PERMIT

MR. BOTT CONTACTED ME TODAY AND DOES NOT WANT TO RELINQUISH THE PERMIT BECAUSE THE PUMP & WELL PRODUCE 10.07 cfs. THIS WELL UNDER ~~LICENSE~~ 22-7211 IS FOR 5.74cfs LEAVING 4.33 cfs. HE WANTS THE WELL LICENSED TO CAPACITY SO THAT ANYONE IN THE TETON PIPELINE COULD USE THE WELL DURING SHORT WATER YEARS. THE INDIVIDUALS IN THE TETON PIPELINE, HOWEVER, WANT THE RIGHTS PREPORTIONED ACCORDING TO THE PERCENT OF INVESTMENT IN THE DIVERSION FROM THE TETON RIVER.

Keith C Wilson
SIGNATURE

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OCT 21 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

3.36 cfs

1. Owner: Bott Land Inc Permit No. 22-7295
Current Address: HC 60 Box 1143 Newdale Id 83436 Phone No. 458-4966
2. Accompanied by: DeMar Bott EXAM. DATE: 3 Aug 1984
Address: HC 60 Box 1143 Newdale 83436 Phone No. 458-4966
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Elect	150	C6502-118	Peerless	10"
			87-02469		

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Exchange Well: Well, pump mainline to open discharge into Teton River with
Rediversion up stream at the North Project #1 of the Teton-Clementville
Pipeline.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Totalizing Meter	McCrometer	-	-	77-12-2042	12"	N/A

7. Measurements 0.019 f in 43.25 sec = 1.07 cfs ☐ Additional data/computation sheets attached

8. Point(s) of Diversion: _____ Indicate Method of Determination _____

Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
Well	SE	SE	SE	25	7N	40E		FREMONT	Well
Re-Diversion	SW	NW	SE	3	6N	44E	Teton Clementville Pipeline North Project #1	Teton	

9. Place(s) of Use: _____ Irrigation - give acres served by system at time of exam.
Indicate Method of Determination ASCS Aerial

Twp.	Rge.	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	
6N	43E	2		13	3		28	33	38	32		18	1						166
				L2			L3	L4											
		3	33	32	29	37	32	25	16	25	33	18	40	40	33	40	38	5	476
			L1	L2			L3	L4											
7N	43E	34									39	40	40	39					158
																			Total Acres <u>800</u>

OCT 21 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT22-7295
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$0.01 \text{ af in } 43.25 \text{ sec} = [(0.01 \text{ af}) (43560 \text{ ft}^2/\text{ac})] \div 43.25 \text{ sec} = 10.07 \text{ cfs}$$

$$\text{Permit } Q = 3.36 \text{ cfs}$$

Rediv. from Teton River Limited to 5.74 cfs (ie 20% of 28.7 cfs)

 $\therefore Q$ LIMITED TO 3.36 cfs by Permit

- b) Volume Calculations for Irrigation:

$$V_{i,r} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 800 \times 3.0 = 2400 \text{ ac-ft}$$

$$V_{d,r} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.36 \text{ cfs} \times 1.9835 \times 183 \text{ d} = 1219.6 \text{ ac-ft}$$

$$V = \text{Smaller of } V_{i,r} \text{ and } V_{d,r} = 1219.6 \text{ ac-ft}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: 22-7148 / 22-7211

- b) Other water rights with same point of diversion: 22-7211 Rediv from Teton River 22-0145A/0221B/0245B/
-
- 7108/7111/7119/7121/7122/7148/7157/7186/7504/7505/7208/7216/7223/7260/7375

- c) Analysis: R01, R04

Rediversion thru North Project #1 Q LIMITED TO 20% of Total Q

 $\therefore Q = (0.20)(28.7 \text{ cfs}) = 5.74 \text{ cfs}$ which would mean that in combination
water rights 22-7148, 22-7211 & 22-7295 (this right) cannot exceed $Q = 5.74 \text{ cfs}$

R29

R17(22-7211)(22-7148)(5.74 cfs) (2083.5 ac-ft)

RECOMMEND CANCELLATION SAME AS 22-7211

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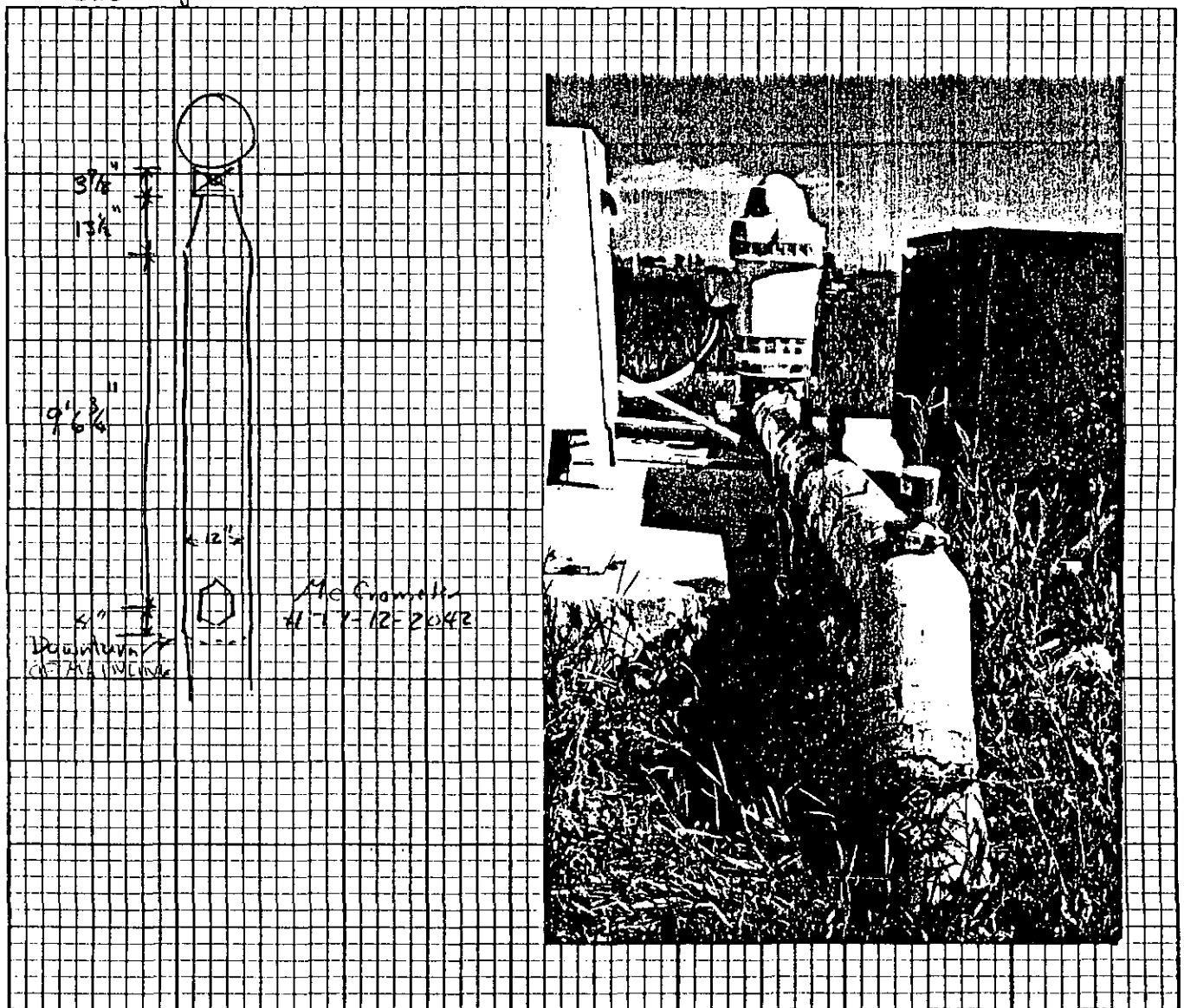
10. Other water rights on these lands 22-7148/22-7211

11. Other water right diverted from same p.d. 22-7211

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Exchange Well

↑
N



SEE ATTACHED COPY OF REDIVERSION DIAGRAM

13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks REDIV FROM TETON PIPELINE NORTH PROJECT #1 is 20% of total Q of 28.7 cfs $\therefore Q = 5.74$ cfs

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other

16. Examiner's/Consultant's Signature Keith C Wilson Date 3 Aug 1984

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

MICROFILM SEAL
CONSULTANT
OCT 21 1987

CLEMENTSVILLE PIPELINE INC.

North Project # 1 & 2

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 768
10/20/1985

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
06N	44E	03	W4SE	01		22-7349	P		03-12-1981 TETON RIVER	MC CULLOCH MC CULLOCH HOBERT FARMS, INC.	D D C
			W4SE	01		22-0145A	D		01-22-1966 TRAIL CREEK	RANIELL RANIELL RANIELL	C C D
			W4SE	01		22-0221B	D		09-01-1890 TETON RIVER	CURTIS RANIELL RANIELL	D C C
			W4SE	01		22-0245B	D		09-01-1890 TETON RIVER	EYKON RANIELL RANIELL	D C C
			W4SE	01		22-7108	P		10-11-1974 TETON RIVER	HOOPES BICKHORE	C D
			W4SE	01		22-7111	P		11-12-1974 TETON RIVER	ARD	C
			W4SE	01		22-7119	P		12-10-1974 TETON RIVER	NELSON	C
			W4SE	01		22-7121	P		01-14-1975 TETON RIVER	HOOPES	C
			W4SE	01		22-7122	P		12-31-1974 TETON RIVER	RANIELL RANIELL	C C
			W4SE	01		22-7148	P		07-23-1975 TETON RIVER	BOTT BOTT LAND INC.	D C
			W4SE	01		22-7157	P		08-06-1975 TETON RIVER	TETON GEORGIC INC.	C
			W4SE	01		22-7186	P		04-27-1976 TETON RIVER	ARD	C
			W4SE	01		22-7504	P		07-01-1985 GROUNDWATER	HOOPES	C
			W4SE	01		22-7505	P		07-01-1985 TETON RIVER	HOOPES	C
			W4SE			22-7208			Rediversion for Groundwater		
						22-7211					
						22-7216					
						22-7223					
						22-7295					
						22-7360					
						22-7375					

CENTRAL (BOELKE) PROJECT

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 769
10/20/1985

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
06N	44E	10	SE4N	01		22-7044A	L		03-26-1971 TETON RIVER	HOOPES	C
			SE4N	01		22-7110	L		10-15-1974 TETON RIVER	EMCO RANCHES, INC. BICKHORE	C D
			SE4N	01		22-7181	P		04-01-1976 TETON RIVER	ECHO RANCH, INC.	C
			SE4N	01		22-7392	P		03-22-1982 TETON RIVER	EMCO RANCH ECHO RANCH	C D
			SE4N			22-7209			Rediversion for Groundwater		
						22-7375					

SOUTH PROJECT

HRR158

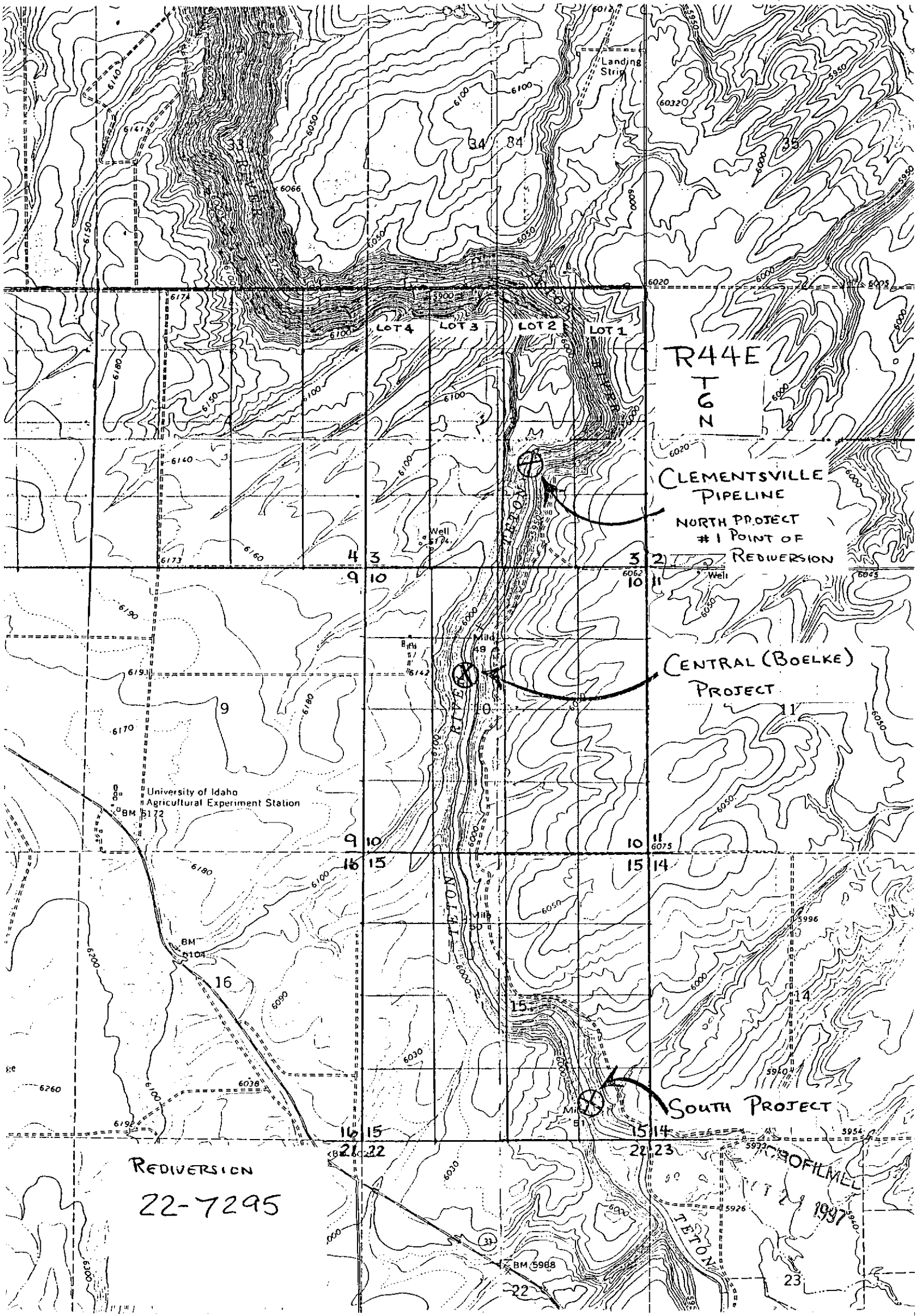
IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

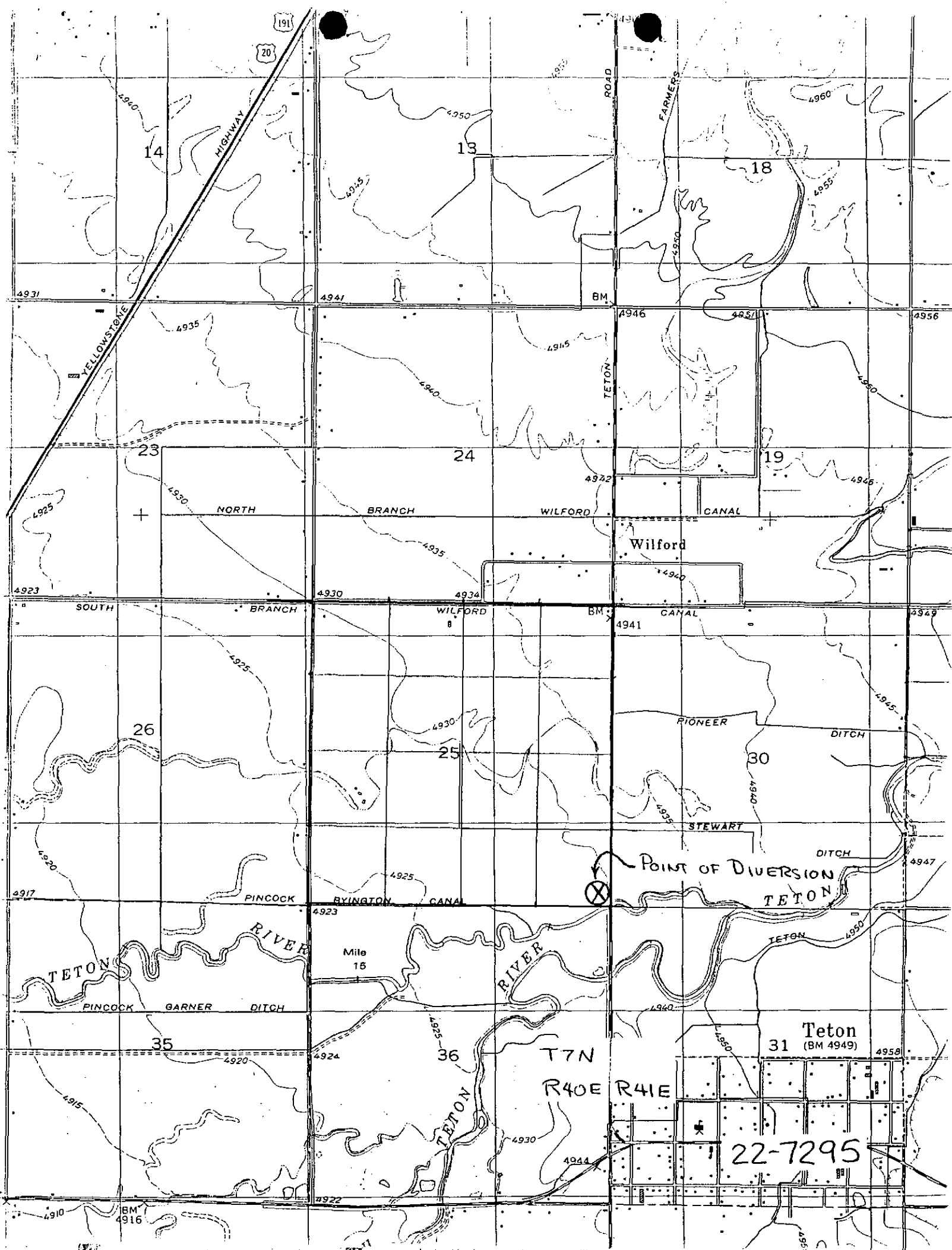
PAGE 769
10/20/1985

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
06N	44E	15	SESE	01		22-0288D	D		05-15-1883 TETON RIVER	HANSEN EMCO RANCH INC.	D C
			SESE	01		22-0351	D		06-01-1887 TETON RIVER, SOUTH FORK BIGLER SLOUGH	OTTESSEN	C
			SESE	01		22-0551B	D		04-01-1898 TETON RIVER	TETON ISLAND CANAL CO. EMCO RANCH INC.	D C
			SESE	01		22-0552B	D		03-01-1883 TETON RIVER	TETON ISLAND CO. EMCO RANCH INC.	D C
			SESE	01		22-0553B	D		05-22-1884 TETON RIVER	TETON ISLAND CANAL CO. EMCO RANCH INC.	D C
			SESE	01		22-7044B	L		03-26-1971 TETON RIVER	HOOPES	C
			SESE	01		22-7100	L		08-07-1974 TETON RIVER	EMCO RANCH, INC.	C
			SESE	01		22-7116	F		12-03-1974 TETON RIVER	ARD ARD	C C
			SESE	01		22-7120	P		01-14-1975 TETON RIVER	HOOPES	C
			SESE	01		22-7159	L		08-18-1975 TETON RIVER	EMCO RANCH, INC.	C
			SESE	01		22-7180	P		04-01-1976 TETON RIVER	EMCO RANCH, INC.	C
			SESE			22-7208			Rediversion for Groundwater		
						22-7209					
						22-7235					

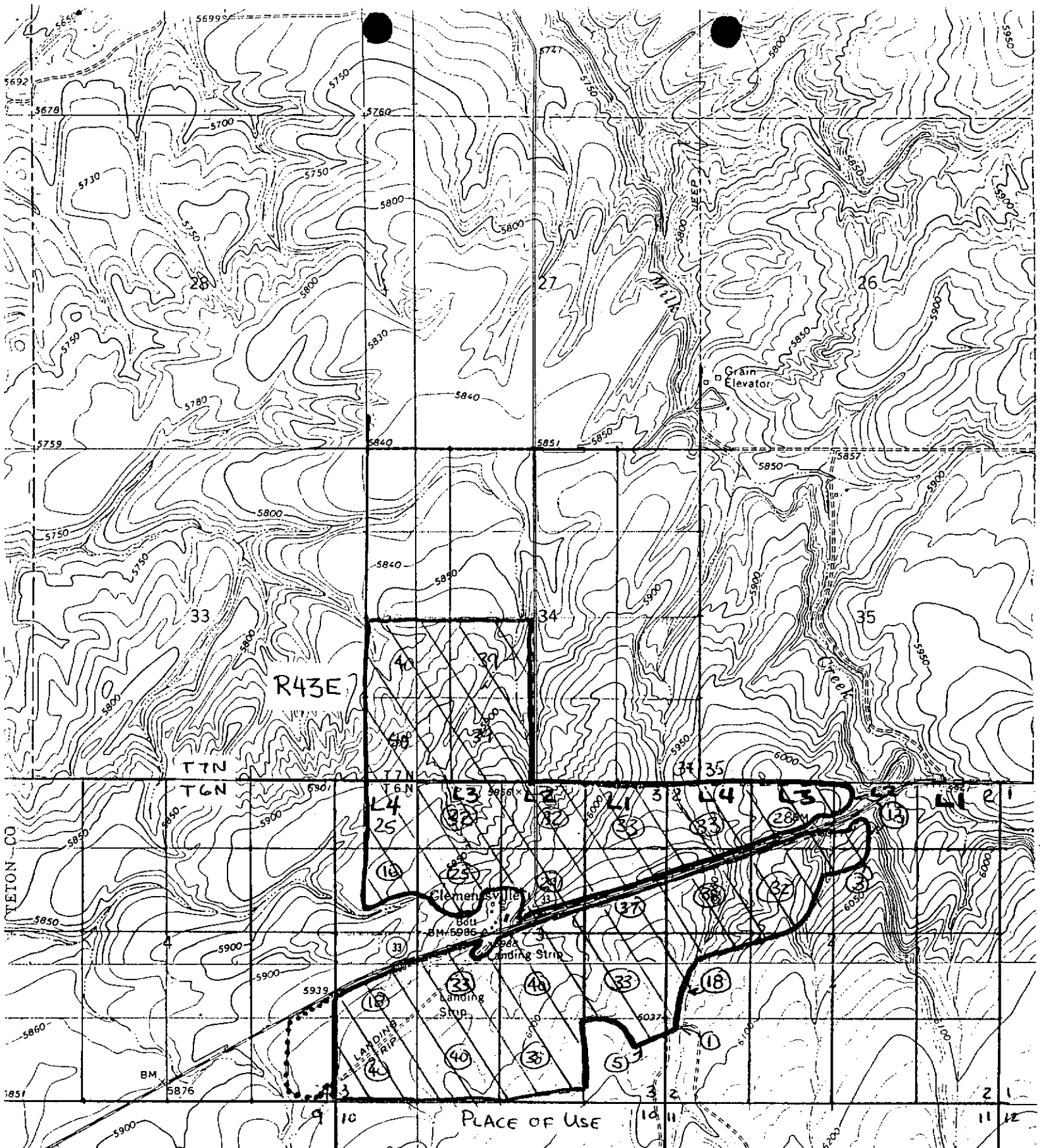
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22-7295





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OCT 21 1997



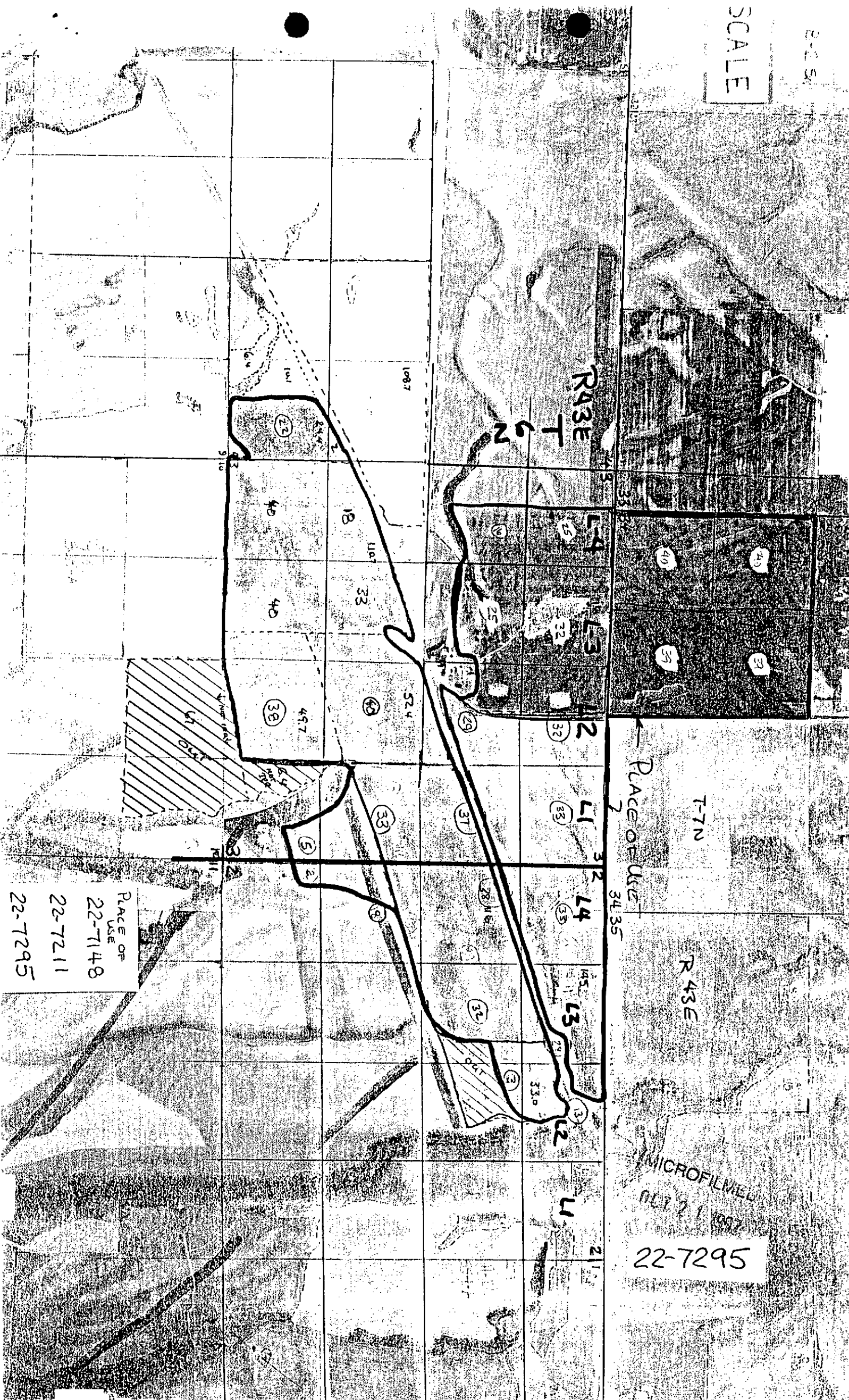
LOTS FOR PLACE OF USE

Retraced

79.50 39.71	28.5 5.89°45'E	39.75 5.89°45'E	39.96 5.89°45'E	28.5 5.89°45'E	79.50 39.75
31.53	31.99	32.45	32.91	33.08	32.97
32.45	32.74	32.97	32.45	32.74	32.97
30	30	30	30	30	30
Sec. 3 608.88			Sec. 2 611.64		
589°20'E			589°44'E		
79.50			60.00		
Sec. 10 640			Sec. 11 640		
589°36'E			589°43'E		

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2287295
1997

SCALE



Place of Use
22-7148
22-7211
22-7295

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OCT 21 1997
22-7295

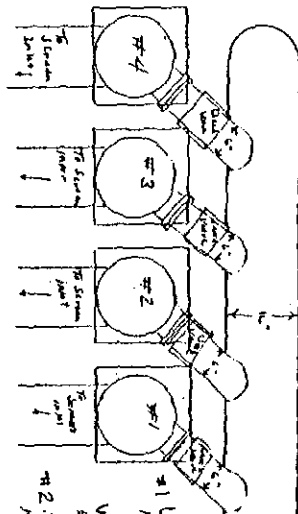
North Project # 2

MEASUREMENT 8.76 cfs
(July 1979)

50% Darrel And = 4.38 cfs
50% Clint Hoopes = 4.38 cfs

#3 U.S. ELECTRICAL
MOTOR 200hp
3/4 CD U37-619
VERTICAL PUMP
3/4" - N/A

#4 U.S. ELECTRICAL
MOTOR 200hp
3/4 CD 6377-619
131C-9-147
VERTICAL PUMP
3/4" - N/A



#1 U.S. ELECTRICAL
MOTOR 200hp
3/4 CD 6377-619
VERTICAL PUMP
3/4" V78-90187A
MOTOR 200hp
3/4 CD 6349-480
VERTICAL PUMP
3/4" V78-90187B

REDIVERSION

22-7295 NORTH PROJECT
1 ONLY

CLEMENTSVILLE PIPELINE
NORTH PROJECT #1

Measurement of 28.7 cfs
(July 1979)

MICROFILMED
OCT 21 1997

22-7295

#1 GE 500hp
3/4 HKT 82102
VERTICAL
PUMP
3/4 V75-72441B

#1

#2 GE 500hp
3/4 HKT 92202
VERTICAL
PUMP
3/4 V75-72441D

#2

#3 GE 500hp
3/4 CLT 31204
VERTICAL
PUMP
3/4 V75-72441A

#3

#4 GE 500hp
3/4 HKT 82102
VERTICAL
PUMP
3/4 V75-72441D

#4

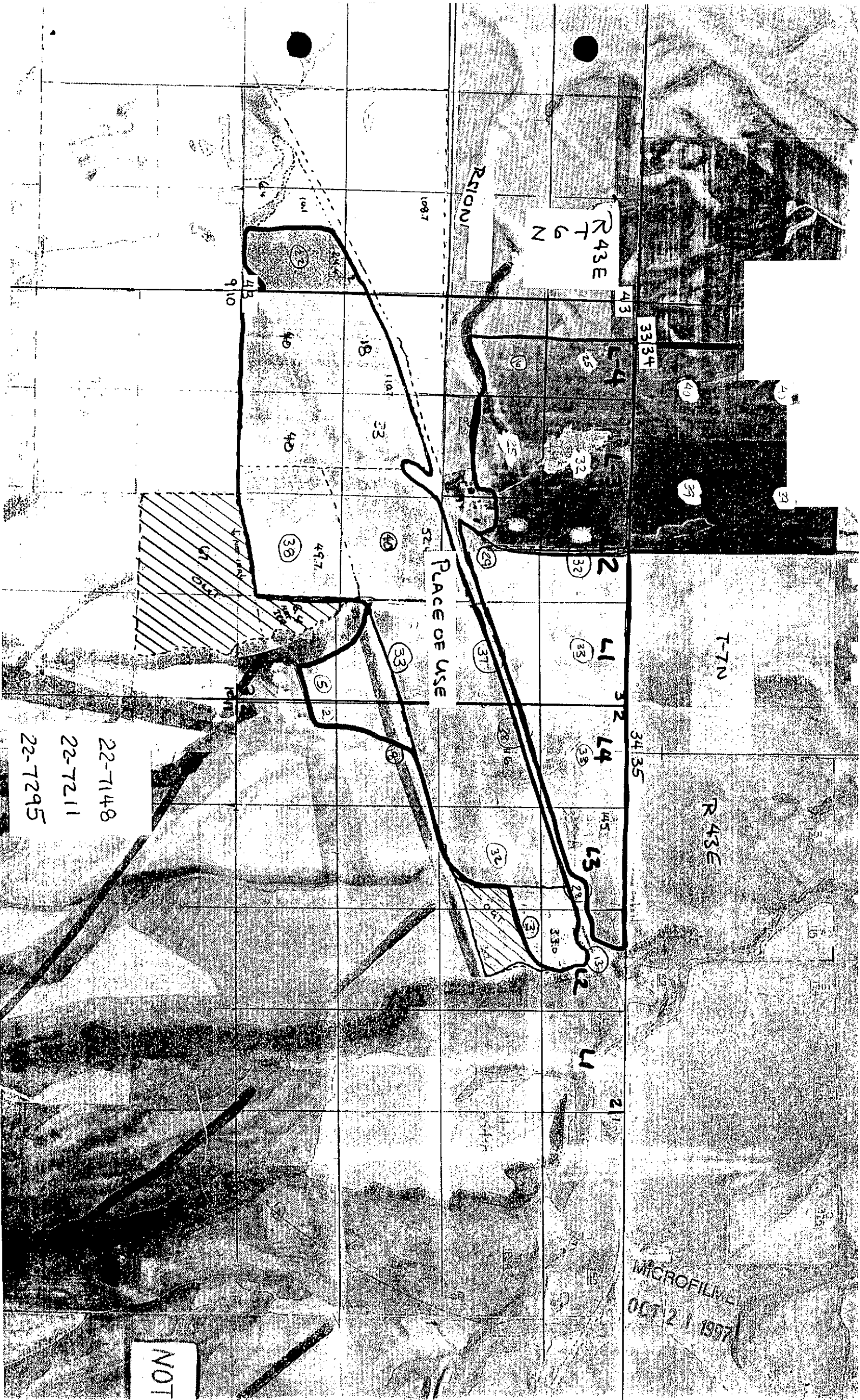
#5 GE 500hp
3/4 CLT 1001120
VERTICAL PUMP
3/4 V75-72442

#5

#6 GE 200hp
3/4 BMT 225130
VERTICAL PUMP
3/4 V76-70641

#6

20% Max Merrill Ramwell = 5.74 cfs
20% Clint Hoopes = 5.74 cfs
8% Darrel; Ron And = 2.30 cfs
12% Glen Nelson = 3.44 cfs
20% DeMar Bitt = 5.74 cfs
20% Ed Parkinson = 5.74 cfs



R43E
T6N

REGION

PLACE OF USE

T7N

R43E

MICROFILM
OCT 21 1997

NOT

22-7148
22-7211
22-7295

CLEMENTSVILLE PIPELINE INC.

North Project # 1 & 2

NR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 768
10/20/1985

TRM	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
06N	44E	03	144E	01		22-7349	P		03-12-1981 TETON RIVER	MC CULLOCH MC CULLOCH HIBBERT FARMS, INC.	D D C
			NWSE	01		22-01450	D		01-22-1916 TRAIL CREEK	RAIRIELL RAIRIELL RAIRIELL	C C D
			NWSE	01		22-02218	D		09-01-1890 TETON RIVER	CURTIS RAIRIELL RAIRIELL	D C C
			NWSE	01		22-02458	D		09-01-1890 TETON RIVER	EYMON RAIRIELL RAIRIELL	D C C
			NWSE	01		22-7108	P		10-11-1974 TETON RIVER	HOOPES BICKMORE	C D
			NWSE	01		22-7111	P		11-12-1974 TETON RIVER	ARD	C
			NWSE	01		22-7119	P		12-10-1974 TETON RIVER	NELSON	C
			NWSE	01		22-7121	P		01-14-1975 TETON RIVER	HOOPES	C
			NWSE	01		22-7122	P		12-31-1974 TETON RIVER	RAIRIELL RAIRIELL	C C
			NWSE	01		22-7148	P		07-23-1975 TETON RIVER	BOTT BOTT LAND INC.	D C
			NWSE	01		22-7157	P		08-06-1975 TETON RIVER	TETON GEORGIC INC.	C
			NWSE	01		22-7186	P		04-27-1976 TETON RIVER	ARD	C
			NWSE	01		22-7504	A		07-01-1985 GROUNDWATER	HOOPES	C
			NWSE	01		22-7505	A		07-01-1985 TETON RIVER	HOOPES	C
			NWSE			22-7208			Rediversion for Groundwater		
						22-7211					
						22-7216					
						22-7223					
						22-7295					
						22-7360					
						22-7375					

CENTRAL (BOELKE) PROJECT

NR170

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 769
10/20/1985

TRM	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
06N	44E	10	SE14	01		22-7044A	L		03-26-1971 TETON RIVER	HOOPES	C
			SE14	01		22-7110	L		10-15-1974 TETON RIVER	ENCO RANCHES, INC. BICKMORE	C D
			SE14	01		22-7181	P		04-01-1976 TETON RIVER	ENCO RANCH, INC.	C
			SE14	01		22-7392	P		03-22-1982 TETON RIVER	ENCO RANCH ENCO RANCH	C D
			SE14			22-7209			Rediversion for Groundwater		
						22-7375					

SOUTH PROJECT

NR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 769
10/20/1985

TRM	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
06N	44E	15	SESE	01		22-02880	D		05-15-1883 TETON RIVER	HANSEN ENCO RANCH INC.	D C
			SESE	01		22-0351	D		06-01-1887 TETON RIVER, SOUTH FORK BIGLER SLOUGH	OTJESSEN	C
			SESE	01		22-05518	D		04-01-1890 TETON RIVER	TETON ISLAND CRYVAL CO. ENCO RANCH INC.	D C
			SESE	01		22-05528	D		05-01-1883 TETON RIVER	TETON ISLAND CO. ENCO RANCH INC.	D C
			SESE	01		22-05538	D		05-22-1884 TETON RIVER	TETON ISLAND CRYVAL CO. ENCO RANCH INC.	D C
			SESE	01		22-7044B	L		03-26-1971 TETON RIVER	HOOPES	C
			SESE	01		22-7100	L		08-07-1974 TETON RIVER	ENCO RANCH, INC.	C
			SESE	01		22-7116	P		12-03-1974 TETON RIVER	ARD ARD	C C
			SESE	01		22-7120	P		01-14-1975 TETON RIVER	HOOPES	C
			SESE	01		22-7159	L		08-18-1975 TETON RIVER	ENCO RANCH, INC.	C
			SESE	01		22-7180	P		04-01-1976 TETON RIVER	ENCO RANCH, INC.	C
			SESE			22-7208			Rediversion for Groundwater		
						22-7209					
						22-7235					

22-7295

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7211

Permit No.

Overlap Review

- a) Other water rights with same place of use: 22-7148 / 22-7295
- b) Other water rights with same point of diversion: 22-7295 ^{Radio from} 22-0145A/0221B/
0245B/7108/7111/7119/7121/7122/7148/7157/7186/7504/7505/7208/
7216/7223/7360/7375
- c) Analysis:

R04

R01

Diversion thru North Project #1 Q limited to 20% of Total Q
 $\therefore Q = (0.20)(28.7 \text{ cfs}) = 5.74$ which means that in combination
 rights 22-7148, 22-7295 & 22-7211 (this right) cannot exceed 5.74 cfs
 Radio.
 R17(22-7148) 5.74 cfs

SINCE RECOMMENDING CANCELLATION OF 22-7295 (Groundwater)

NOTE: $Q = 0.01 \text{ af in } 43.25 \text{ sec} = [(43560 \text{ ft}^2/\text{ac})(0.01 \text{ af})] \div 43.25 \text{ sec} = 10.07 \text{ cfs}$

FROM EXAM done 3 Aug 1984 for 22-7295

Regional Office by

Keith C Wilson

Date

22 Oct 1986

MICROFILMED

OCT 21 1997

DATE OF EXAM 7/9/79

ACREAGE

Found 800 Ac.
Recommended 800 Ac.

Irrigation Requirement 3.0 Ac Ft/Ac

USE

Irrigation Q = 5.74 c.f.s. V = 2400 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes X no _____

Name source exchanged with: Teton River
twp. 6N N/S, Rge 44E E/W, B.M., Sec. 3, Sub. NW 1/4 SE 1/4 Teton County _____

Point of injection:
twp. 7N N/S, Rge 40E E/W, B.M., Sec. 25, Sub. SE 1/4 SE 1/4 Teton County _____

Point of exchange:
twp. 7N N/S, Rge 44E E/W, B.M., Sec. 3, Sub. NW 1/4 SE 1/4 Teton County _____

Total Q measured 9.63 cfs Method of measurement Flow Meter

Total Q recommended 5.74 cfs Meter No. 77-12-2049 type McCombs Condition Std

Total V recommended 2083.5
2400 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

101 Act. in 45.23 sec. $435.6 \div 45.23 = 9.63 \text{ cfs}$ 20% slope in Teton pipeline = 5.74 cfs
(0.20 x 28.7 = 5.74 cfs)
183 2083.5
 $800 \text{ Ac} \times 3.0 \text{ AF/Ac} = 2400 \text{ AF/Ann}$ $5.74 \text{ cfs} \times 1.9835 \text{ cfs AF/dy} \times 365 \text{ dy} = 2496.5 \text{ AF/Ann.}$

SYSTEM DESCRIPTION:

Groundwater is diverted by a U.S. Electric motor 150 hp. Ser # C6502-118 3702469
Pressure Pump - no number - Open discharged into the Teton River.
Recharged from the Teton River (see attachment). Land irrigated by hand-coupled
lines. See L-20-7142

REMARKS:

System shown by Earl Hooper

Examiner's Signature John D. Carlson Date 4/30/80

Checked by Scott C. Wilson Date 22 Oct 1986

Approved by _____ Date _____

MICROFILMED
OCT 21 1997

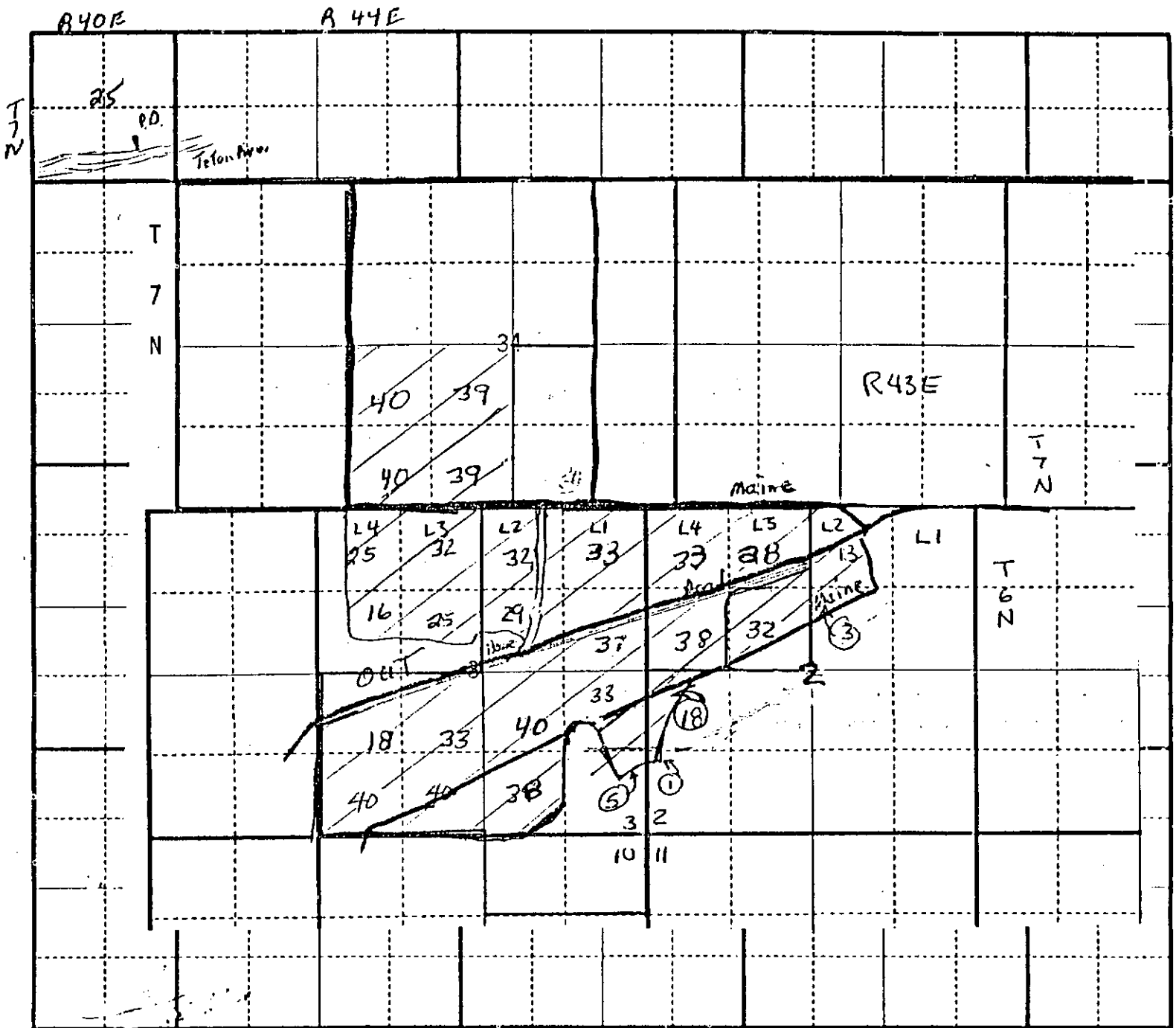
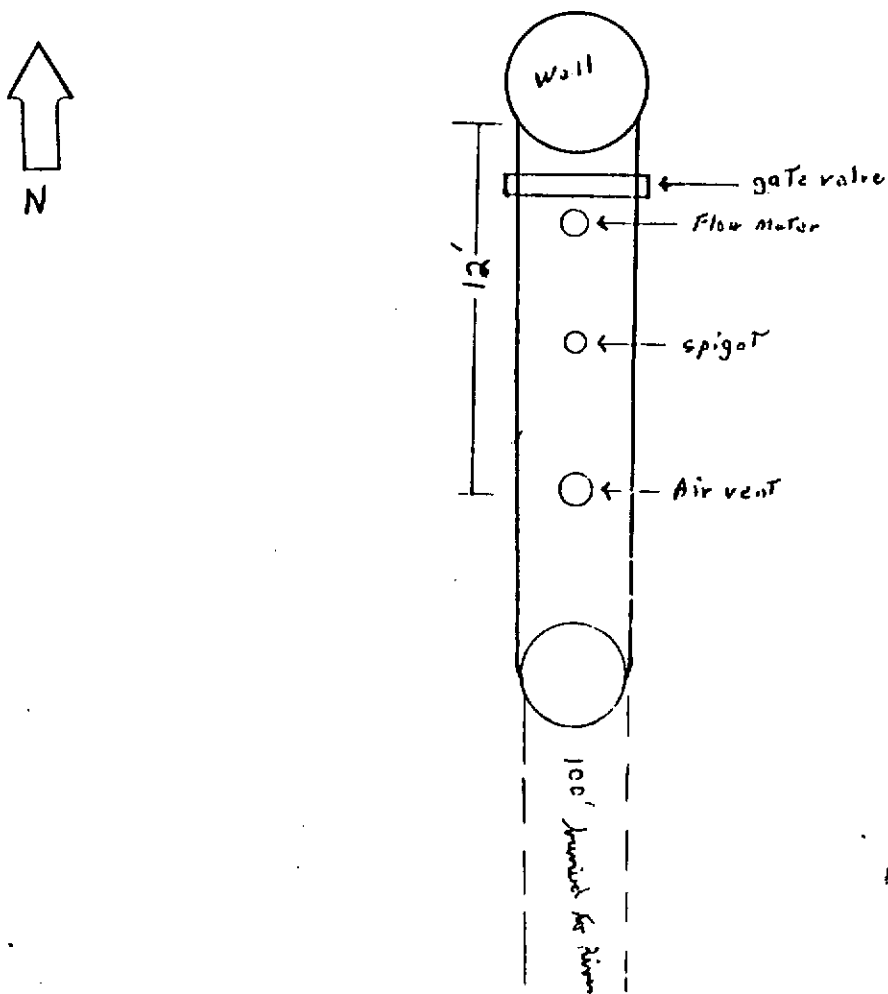
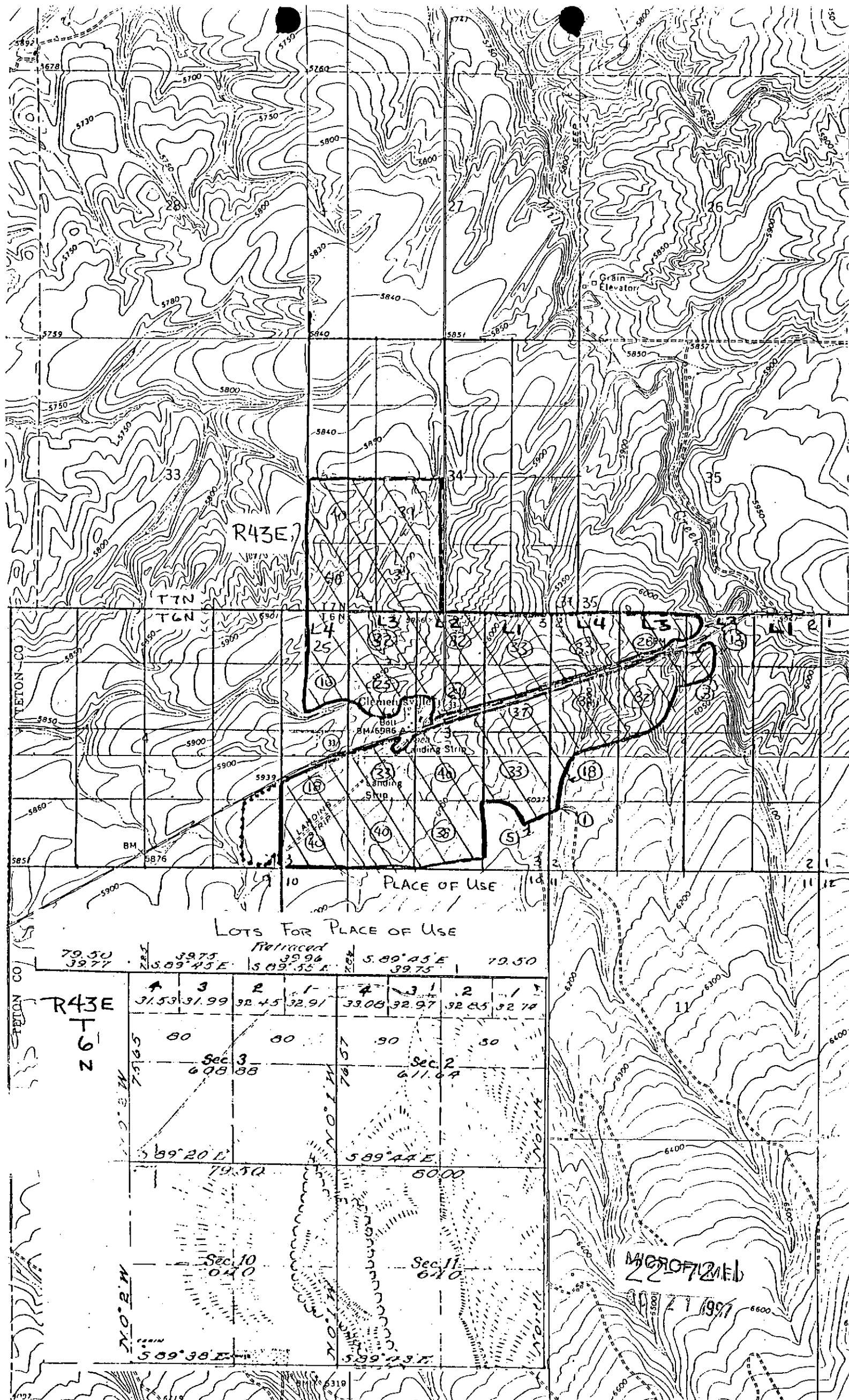


Diagram of System



MICROFILMED
OCT 21 1997





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 13, 1989

RE: Permit No. 22-7221

Glen and Bonnie Nelson
HC 60, Box 1209
Newdale, ID 83436

Dear Permit Holder(s):

The Department acknowledges receipt of your letter of January 18, 1989 and accompanying \$20.00 check for amending the above referenced permit. Your check no. 185/92-7307 is being returned because the permit has lapsed and cannot be amended at this time. In your letter, you requested that this permit be reinstated.

Permit No. 22-7221 lapsed on June 1, 1987. The 60-day late period during which the permit can be readily reinstated has passed. If you wish to request a reinstatement, you must first submit a Proof of Beneficial Use Statement along with the required examination fee. A beneficial use form and instructions are enclosed with this letter.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.
- b) Reasonable cause why the proof of beneficial use was filed late.

In regard to the requirement under part (a) above, you must provide evidence to show that water was diverted from the well described in your permit within the period authorized by the permit and put to beneficial use.

Since this permit represents an injection of groundwater into a surface water source and redirection of surface water for irrigation, a clear relationship between development of the groundwater supply diversion to the diversion from the surface supply must be provided. For example, you must show that the volume diverted from the surface water source was provided by the groundwater source you developed. The extent of development must be quantified.

RECEIVED
OCT 21 1997

Your letter and any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

TIM LUKE
Sr. Water Resource Agent

TL:sc
Enclosures

cc: Christa Poncia

MICROFILMED

OCT 21 1997

MEMORANDUM

TO: TIM
FROM: JIM JOHNSON
RE: REINSTATEMENT
DATE: 30-JAN-1989

Tim, please make a review of the file to see for what reasons the permit lapsed.

I don't feel comfortable with the explanation given by Nelson as to why what was developed was not worth proving up on for issuance of a license.

If the permit lapsed because no proof was submitted then he needs to submit a proof with fee.

I don't see how the permit holder will be able to show that the permit was part a development of a well owned by someone else and still show that the development occurred within the authorized permit period.

I suggest that we return the check and amendment to Mr. Nelson.

MICROFILMED

OCT 21 1997

RECEIVED

JAN 27 1989

POOR QUALITY

Department of Water Resources

Glen D. Nelson
H C 60 Box 1209
Newdale, Id. 83436
January 18, 1989

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Dear Sirs:

It has come to my attention during the recent filing procedures that my permit number 22-7221 has lapsed. Since this is an important part of both my and the Clementsville Pipeline Incorporated continuing farming operation I feel that I must do whatever I can to cause this permit to be reinstated.

I drilled this well in 1977 to be used as an exchange well in lieu of waters no longer available from the Teton Dam. I have recently become aware that the permit was for a ground water source and not just a well. I did request extension and it was granted to June 1, 1985, but the well did not produce enough flow (cfs) to be of value to continue proving up and licensing. Also there was some doubt in my mind that this source would be of any value in view of the Swan Falls Litigation. I have been wrong on both the above counts and now realize that if reinstated the permit could afford myself and the company a valuable resource.

I have enclosed an affidavit from our watermaster showing my use of company water for at least two years and I am requesting that permit # 22-7221 be amended to be relocated at the site of the Bott Land Well as per the enclosed application for amended permit.

Enclosed find my fee for readvertising and amendment if the above procedure meets with your approval.

Sincerely,

Glen D. Nelson

Glen D. Nelson

MICROFILMED

OCT 21 1997

1-23-89

Exchange Wells - recharged into
Teton River in 1985. Amount was used to
replace water used by Teton Pipeline

Botts 410

Hoopes 1 285

Hoopes 2 450

Aids 474

Total 1621 A.F.

RECEIVED

JAN 27 1989

Department of Water Resources

1988

Botts 418

Hoopes 1 556

Hoopes 2 353

Hoopes 3 563

Aids 628

Huskinson 498

Total 3016 A.F.

These readings were
taken by Dee O'Brien
deputy watermaster,
District 01.

Signed
Dee O'Brien

MICROFILMED

OCT 21 1997

Dorothy C. Douglas
Notary Public

9-20-93

I certify that file No. 22-7221 has been
reviewed and is ready to be MICROFILMED
and DESTROYED.

S. Curtis

Signature

7-21-88

Date

NELSON, GLEN D.
STAR RT.
NEWDALE, ID 83436

June 4, 1987

LAPSE NOTICE

RE: Permit No. 22-7221

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated March 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

CERTIFICATION OF MAILING
There is hereby certified that the enclosed letter was
deposited in the mail, postage paid, at the post office at
Boise, Idaho, on June 4, 1987.
Indrade
[Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
MARCH 31, 1987

138848

NEILSON, GLEN D.
STAR HT.
NEWCASTLE, ID 83436

PROOF DUE NOTICE

RE: PERMIT NO. 22-7221

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 1, 1987. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

NITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

June 6, 1985

Glen D. Nelson
Star Mt.
Newdale, ID 83436

Dear Mr. Nelson:

Re: Permit No. 22-7221

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to June 1, 1987. Please note that the permit has been reinstated with an advance in priority since the extension of time request was submitted after the proof due date.

In connection with the development of a water right under this permit, the department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 22-7221

Y Date received stamp

Y Fee received and receipted

Y Name on request same as on permit

Y Address same permit as on latest correspondence

Y Proof due date within six months of due date

Y Signature same as permit

Y Source of water the same

Y Permit holder named in Swan Falls lawsuit

Y Proceed diligently

Y Is delay caused by litigation:

Date lit. completed

Date lit. began -

Period of delay

New proof due date

ACTION: Recommend approval based on litigation

Recommend proof due date be advanced 2 yrs at least instead of just 14 1/2 months.

Y Is the extension timely received?

Reinstate: Extension received

Proof due date -

Days late _____

Priority date

Adjusted priority date

Y Is there commencement of works?

Cover letter

Coding sheet

Rolodex card updated and refiled

Reviewed by 14 Date: 5-24-1985

Date: 5-24-1985



JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

May 6, 1985

Glen D. Nelson
HC 60 Box 1209
Newdale, ID 83436

PERMIT NO. 22-7221

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 36456

Roberta Garrett
Records Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138828

NELSON, GLEN D.
STAR RT.
NEWDALE, ID 83436

PROOF DUE NOTICE

MARCH 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-1221 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

August 11, 1962

Glen D. Nelson
Star Route
Newdale, ID 83430

Dear Mr. Nelson:

Re: Permit No. 22-7221

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to June 1, 1965.

Please note that the permit has been reinstated with an advance in priority since the extension of time request was submitted after the proof due date.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time
Receipt 24528

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 22-7221

DATE: Aug. 2, 1982

Date ^{Ext} Proof Received	7/23	204
Proof Due	6/1	152
Number of Days ^{Ext} Proof Late		<u>52</u>

Priority Date

Number of Days ^{Ext} Proof Late

New Priority Date

96	
<u>52</u>	
148	= May 28, 1977

Remarks

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

NELSON, GLEN D.
STAR HT.
NEWDALE, ID 83436

JUNE 08, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 22-7221 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED MARCH 31, 1982.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXION
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING
I hereby certify that on 6/11/82
a copy of this document was
mailed by the United States mail,
postage prepaid, addressed to the
individual named above.
[Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-6640
CERTIFIED MAIL

RELSON, GLEN D.
STAP PT.
NEEDHAM, ID 83436

1.3.79

MARCH 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 72-7221 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, APPENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE. OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

WILLIAM J. JACK
S. J. JACK

WJ



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 4, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill Jr.".

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

June 20, 1977

Re: Permit No. 22-7221

Glen D. Nelson
Star Route
Newdale, ID 83436

Dear Mr. Nelson:

Enclosed is a copy of your approved Application for Permit No. 22-7221. 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 permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Nelson

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ARK 4/7/77

In form to receipt 4/5

(2) ARK 4/7/77

Send Copies to:

7/12 Idaho State Health Department
7/12 Idaho Fish and Game Department
7/12 Bureau of Land Management

(3) ARK 4/7/77

1/1 11 201
7/12 Request Special Use Permit from U.S.F.S.
7/12 Request Easement from B.L.M.
7/12 Request Information from Applicant
7/12 Request Dam Safety Information

(4) ARK 4/7/77

In form for advertising 4/5

(5) ARK 4/7/77

Platted on Map No. 7N4E, 6W4E

(6) ARK 4/7/77

Located within Water District No. Basin 22

(7) ARK 4/7/77

Critical groundwater area: yes no X

(8) ARK 4/7/77

Groundwater levels:

Declining, X Stable, Increasing

(comment) 3 adal. (Teton) is stable

(9) ARK 4/7/77

Other rights on the same place of use none

(10) ARK 4/7/77

No groundwater rights
Comments: There is a surface water right 22-71:9
on Sec 32, 7N4E, 6W4E, Teton county

(11) ARK 4/7/77

Affidavit of Publication received (date) April 25, 1977

(12) RDC 6/4/77

Final date for protests 7/24/77
Protests received: yes no

(13) ARK 4/7/77

All requested information received from agencies or applicant: yes no

(14) ARK 4/7/77

Action recommended:

Approve Deny

4/6/77 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E RDC Date 5/1/77

That the
unperforated casing
must be extended
and sealed through
the first permanent
confining layer.

ARK

June 1, 1977

RE: Application for Permit No. 22-7221

Mr. Glen D. Nelson
Star Route
Newdale, Idaho 83436

Dear Mr. Nelson:

This is to advise you that Teton Valley Lodge has withdrawn their protest against the above referenced application. Your application has been forwarded to the State Office for final action.

If you have any questions, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

cc: Teton Valley Lodge

Teton Valley Lodge

May 20, 1977

Fly Fishing
Bird Shooting
Skiing

Randy Berry

John Pehrson

RECEIVED

MAY 24 1977

Department of Water Resources
Eastern District Office

State Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

Concerning the recent protest letter we wrote concerning the permit No. 22-7221 of Glen D. Nelson to pump water from an irrigation well and put it into the Teton, we now wish to withdraw this protest. We understand that even if this protest is withdrawn that Mr. Nelson is still subject to all our water rights in this area. If our wells begin to show adverse affects to his well and pumping, we understand that this right he has received will be curtailed.

This is the only reason we wanted to protest the well in the first place.

We hereby formerly withdraw our protest to the acquisition of the above mentioned permit.

Sincerely yours,

John K. Pehrson
John K. Pehrson

Randy Berry
Randy Berry

May 18, 1977

RE: Application for Permit No. 22-7221 GLEN D. NELSON

John K. Pehrson
Teton Valley Lodge
Box 217
Driggs, ID 83422

Dear Mr. Pehrson:

I am now in the process of scheduling conferences and/or hearings on protested applications for permit. In reviewing the above referenced file, I find reference to a telephone call in which you indicate you wish to withdraw the protest you submitted against the granting of this permit. If you still wish to do so, please send me a letter to that effect.

If I do not hear from you in the near future, I will proceed with the scheduling of a hearing in this matter. If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:me

Teton Valley Lodge

Fly Fishing
Bird Shooting
Skiing

Randy Berry

John Pehrson

May 2, 1977

RECEIVED
MAY 3 1977

Department of Water Resources
Eastern District Office

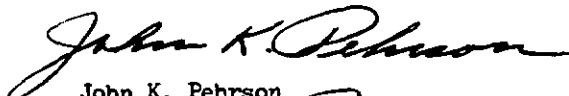
State of Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

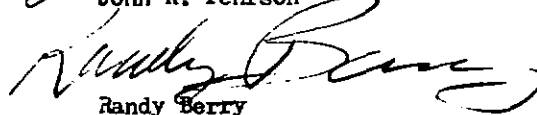
In regards to our recent protest against the application for permit No. 22-7221 of Glen D. Nelson, we hereby withdraw our protest. We have come to terms with Mr. Nelson regarding the operation of his pump and we understand that even if he is issued his permit, he is still subject to all prior water rights in the future. This solves are problems and answers our questions.

Thank you for withdrawing our protest, as per this letter.

Sincerely yours,



John K. Pehrson



Randy Berry



John V. Evans
Governor

C. Stephen Alfred
Director

Mr. Glen D. Nelson
Star Route
Newdale, Idaho 83436

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

April 25, 1977

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

Dear Mr. Nelson:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 22-7221. You should be aware that the following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

April 25, 1977

1616 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7106

C. Stephen Allred
Director

RE: Application for Permit No. 22-7221 GLEN D. NELSON

John K. Pehrson & Randall Berry
Teton Valley Lodge
Box 217
Driggs, Idaho 83422

Gentlemen:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CM

cc: IDWR - State Office

Teton Valley Lodge

April 19, 1977

Fly Fishing
Bird Shooting
Skiing

Randy Berry

John Pehrson

RECEIVED

APR 20 1977

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

Regarding the notice of application for water permit of Glen D. Nelson, Newdale, Idaho on 4/06/77, submitted Application No. 22-7221 to appropriate 6.00 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20 T. 4N, R. 45E, B.M., Teton County, we feel we have two reasons to protest against the granting of the permit.

The first reason is a concern that the above mentioned application could deplete the water table under us here at Teton Valley Lodge in such a manner as to restrict or dry up the flow of our two existing wells. These two wells are wells used to supply all of the water necessary to run our recreational facility from May through November of each year. Our property runs such: Beginning at South $\frac{1}{4}$ corner of Section 17 and running N. 0 degrees 14' W., 1323.29' to the South edge of an existing access road; Thence N. 89 degrees 51' E., 66'; Thence S. 89 degrees 52' 04" E., 431' to the true point of beginning; Thence S. 0 degrees 14' E., 105.7'; Thence S. 89 degrees 54' 19" E., approximately 525' to the center of the Teton River; Thence N. 0 degrees 14' W., 431.70'; Thence N. 89 degrees 54' 19" W., approximately 525'; Thence S. 0 degrees 14' E., 325' to the true point of beginning. Also, all that portion of the SE $\frac{1}{4}$ of Section 17, T. 4N., R. 45 E., B.M., Teton County, Idaho. This tract lies east of the centerline of the Teton River. This is a total of 102.30 acres more or less. We are extremely concerned about Mr. Nelson's application for permit for this first reason stated and request a hearing concerning it.

The second reason for concern is that we are led to believe that Mr. Nelson will be shooting water into the Teton River, by means of the pumping of 6.00 cubic feet per second of water. As you may know, the Teton River is a relatively shallow river with a muddy-type bottom. The river runs, however, crystal clear after the early May and June run-off periods. We feel that Mr. Nelson's pumping of water into this river could tend to muddy the waters of the Teton River, on that side of the river, for a considerable distance downstream. As licensed operators of a recreational fly fishing lodge where we make our living taking people fishing for trout on the Teton River, we feel that these possible muddy conditions of the water, created by Mr. Nelson's pumping, could hamper the fly fishing on the Teton River in our area and thereby be a detriment to our business and ability to make a living.

Teton Valley Lodge

page -2-

Fly Fishing
Bird Shooting
Skiing

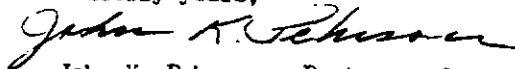
Randy Berry

John Pehrson

We would also like to ask the Idaho Department of Water Resources Board for a hearing on this second reason for protest. At such time as this hearing could be scheduled, we would like to have Mr. Nelson prepare an impact statement with regards to the impact his pumping of 6.00 cubic feet per second of water into the Teton River will have on the existing clear water conditions of the river.

We thank you for your attention towards our protest against this matter.

Sincerely yours,



John K. Pehrson: Partner and owner: Teton Valley Lodge



Randy Berry : Partner and owner: Teton Valley Lodge

April 11, 1977

RE: Application for Permit No. 22-7221 NELSON
No. 22-7223 ARD

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

Dear Art:

We are enclosing copies of applications that may be of interest to your water district. Please review the applications and if you have any comments, submit them to our Department as soon as possible. The last date of protest is May 2, 1977, and we are required to take final action shortly thereafter.

If you have any questions, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

Enclosures (2)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Glen D. Nelson, Newdale, Idaho, has on 4/6/77 submitted Application No. 227221 for a permit to appropriate 6.00 cubic feet per second of water from a ground-water source by means of well and pump within the NE 1/4 NW 1/4, Sec. 20, T. 4N, R. 45E, B.M., Teton County. The water will be pumped into the Teton River and rediverted at a point within the NW 1/4 SE 1/4, Sec. 3, SE 1/4, Sec. 15, T. 6N, R. 44E, B.M., to be used from Apr. 1 to Nov. 1 for the irrigation of 1360 acres within the 6 1/4 NE 1/4, Sec. 8, NE 1/4, SW 1/4, Sec. 17, T. 6N, R. 44E; W 1/4, Sec. 32, T. 7N, R. 44E, B.M.

It is noted, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 or or before May 2, 1977.

Director

Published in the Teton Valley News, Driggs, Idaho on Apr. 14 and Apr. 21, 1977.

April 7, 1977

RE: Application for Permit No. 22-7221 NELSON
22-7223 ARD

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

Bill submitted 4-25-77 by Cul

RDC:CM

Enc: Legal Notice (2)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Glen D. Nelson,
Newdale, Idaho

has on 4-06-77 submitted Application No. 22-7221
for a permit to appropriate 6.00 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump

within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 4N, R. 45E, B.M., Teton County. The water will be
pumped into the Teton River and rediverted at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M.,

to be used from Apr. 1 to Nov. 1
for the irrigation of 1,360 acres

within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 8, NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 17, E $\frac{1}{2}$, Sec. 18, T. 6N, R. 44E;
W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, Sec. 32, T. 7N, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before May 2, 1977

[Redacted Signature]
Director

Published in the Teton Valley News, Driggs, Idaho
on April 14 and April 21, 1977

Handwritten:
The
H.
H.
H.
H.