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DEPARTMENT OF
WATER RESOURCES

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FILED

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TETON CO., ID
DISTRICT COURT

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

Case No. CV-14-226

IN RE: TETON CREEK FLOOD
CONTROL DISTRICT #18

**ORDER APPROVING
PROCEEDINGS ESTABLISHING
TETON CREEK FLOOD
CONTROL DISTRICT #18**

This matter came before the Court on the 18th day of
November, 2014. Petitioners, Board Members of the Teton Creek
Flood Control District #18, by and through their attorneys, Sarah Rupp Lien and
Jerrold A. Long, filed a Petition to approve the proceedings establishing Teton
Creek Flood Control District #18.

FINDINGS OF FACTS

This Court hereby finds that:

1. On July 22, 2013, a group of Teton County voters representing more than 1/3 of the qualified voters within the proposed flood control district submitted a petition to the Director of the Idaho Department of Water Resources (“IDWR”) to establish a flood control district on Teton Creek in Teton County, Idaho (the “TCFCD”).
2. That petition contained all of the information required by Idaho Code §42-3105.
3. On January 7, 2014, IDWR published a report on the proposed TCFCD. IDWR’s report concluded that the petition and the proposed Teton Creek Flood Control District satisfied all of the requirements of Idaho law and that the TCFCD is “reasonably necessary to aid in the prevention of flood damage in a manner that is consistent with the conservation and wise development of water resources and thereby protect and promote the health, safety and people of the City of Driggs, Teton County and the State of Idaho.”
4. On January 14, 2014, IDWR held a public hearing on the proposed TCFCD at the Teton County Court House in Driggs, Idaho.

5. IDWR published notice of this public hearing in the Teton Valley News – the local Teton County newspaper – on December 24 and 31, 2013, and January 9, 2014.

6. At the public hearing, the IDWR hearing officer received and recorded public comment from all individuals desiring to participate. IDWR also allowed written comments to be submitted for another ten days following the public hearing, until January 24, 2014.

7. On April 23, 2014, the Director of the IDWR issued an order recommending creation of the TCFCD and establishing Petitioners as the first Board members of the TCFCD.

8. Petitioners signed oaths of office in a manner approved by IDWR and the Idaho Attorney General’s office, and filed surety bonds in the amount \$5,000 with the clerk of the Teton County District County.

Conclusions of Law

9. The petition to establish the TCFCD complied with all of the requirements of Idaho Code §42-3105;

10. IDWR followed all procedural requirements of the Idaho Flood Control District Statute;

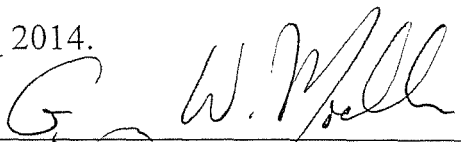
11. IDWR appropriately and lawfully determined that the Teton Creek Flood Control District #18 is reasonably necessary and a practical organization to provide

flood control and protect both public and private property and promote the health and welfare of landowners and water users within the district and the surrounding community.

Based on the information presented in the PETITION TO APPROVE PROCEEDINGS ESTABLISHING TETON CREEK FLOOD CONTROL DISTRICT #18, and Idaho Code §§ 42-3101 through 42-3128, it is hereby ORDERED as follows:

The PETITION TO APPROVE PROCEEDINGS ESTABLISHING TETON CREEK FLOOD CONTROL DISTRICT #18 shall be granted and the procedures and proceedings followed in creating the TCFCD #18 shall be approved.

DATED this 18th day of November 2014.



District Court Judge

CLERK'S CERTIFICATE OF MAILING

I hereby certify that on the 19 day of November, 2014, I served a true and correct copy of the foregoing ORDER APPROVING TETON CREEK FLOOD CONTROL DISTRICT #18 by the method indicated below:

Sarah Rupp Lien
Jerrold A. Long
Friends of the Teton River
PO Box 768
Driggs, ID 83422

Mail
 Personal Delivery
 Fax

DATED this 19 day of November, 2014.

Phyllis A Hansen Clerk