



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 13, 2012

JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG ID 83440-0250

RE: Snake River Basin Adjudication (SRBA) Subcase 22-626
City of Driggs

Dear Mr. Rigby,

The Department received an ***Order Conditionally Granting Late Notices of Claim*** in connection with 22-626 and 22-14003. The order grants the claim upon payment of the appropriate filing fees.

My review indicates that the appropriate fees of \$200 has been paid for claim 22-14003 and I think we can move forward with that claim.

However, I am not sure how to move forward with claim 22-626. Late claim 22-626 claims domestic and irrigation use. The claim does not list a number of acres for irrigation, rather it identifies a service area boundary. Nor does the claim identify the extent of domestic use (number of homes, etc). If it is the intention of the City of Driggs to claim irrigation and domestic use, then the City of Driggs will need to submit an amended claim identifying the number of acres claimed to be irrigated within the service area boundary. The claim needs to identify the extent of the domestic use. Even if the variable fee for some or all of the claimed irrigated acres has been paid for under overlapping claims, the Department stills need to define a total acreage as an element of a recommendation made with irrigation as a purpose of use. With this information, the claim can be updated and the appropriate fees can be calculated.

Or, if the intent is to claim the use as a Municipal use, then the claim will need to be amended and the appropriate variable fees can be calculated based on the diversion rate claimed for municipal use.

As it stands now, I cannot calculate the appropriate filing fees because certain elements of the claimed water right are missing or need to be further defined.

Please submit an amended claim to the Department with the acreage and/or purpose of use clarified so appropriate filing fees can be calculated allowing us to move forward with claim review. Please feel free call if you have questions at 208.287.4916.

Respectfully submitted,



Craig L. Saxton

Water Rights Supervisor

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CC: Andrea Courtney, Deputy Attorney General
Carter Fritschle, Manager