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MAR 21 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 20 2013

By _____

Clerk

Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) WATER RIGHT NO: 22-626

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) AMENDED NOTICE OF CLAIM

On July 12, 2012, the Claimant, the City of Driggs, filed a *Motion to File Late Notice of Claim* for water right claim 22-626. The Court entered an *Order* conditionally granting the late claim on October 17, 2012, subject to the Claimant first submitting the appropriate fees associated with the claim to the Idaho Department of Water Resources.

Then, on December 10, 2012, the City of Driggs filed a *Motion to File Amended Notice of Claim* for the above-captioned water right. A hearing was held on the *Motion* on March 19, 2013. The *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the *Motion to File Amended Notice of Claim*.

THEREFORE, IT IS ORDERED, that the *Motion to File Amended Notice of Claim* for the above-captioned water right is **granted**. The Amended Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report*.

IT IS SO ORDERED.

Dated: March 20, 2013


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM was mailed on March 20, 2013, with sufficient first-class postage to the following:

CITY OF DRIGGS

Represented by:
JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

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DEPARTMENT OF
WATER RESOURCES

SRBA Form No.42-1409-1 (Internet 2/09)

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 10 2012

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-626

Date Received: 3-21-13

Receipt No: C096757

Received By: HP

AMENDED NOTICE OF CLAIM TO A WATER RIGHT AMENDED
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Driggs Phone (208) 354-2362

Mailing Address PO Box 48 Driggs ID ZIP 83422
Street or Box City State

2. Date of Priority (Only one (1) per claim) 01/22/1916
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Spring
which is tributary to (b) Teton Creek

4. a. Location of Point of Diversion is: Township 5N, Range 46E, Section 17,
SW, 1/4 of SE, 1/4 Govt. Lot 4, BM., County of TETON

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

This right is diverted from the spring and conveyed through a pipeline to the city water supply system. The point of diversion listed above is the point where the conveyance system enters Idaho. The actual point of diversion is located in Wyoming in the NWSE Section 21 T44N R118W.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Municipal purposes from 1/01 to 12/31 amount 3.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Municipal use is for the service area of the City of Driggs

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel (PIN) no(s). _____

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? Teton

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

Water Rights 22-2132, 22-7529, 22-7698, 22-7790, 22-7814, 22-13589 _____ or None ()

13. Remarks: This right is based on decreed right 22-626, which was decreed January 24, 1938. The water was originally diverted from Teton Creek through the Grand Teton Canal Company. However, the City moved the diversion to the springs through an accomplished transfer to deliver this right through the water supply system.

Last Name Driggs

Identification No. 221026

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date 01/24/1938 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 22-626

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Snake River Basin Adjudication." (b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jerry R. Rigby Date 12-7-12

Title and Organization ATTY for CLAIMANT

16. Notice of Appearance:

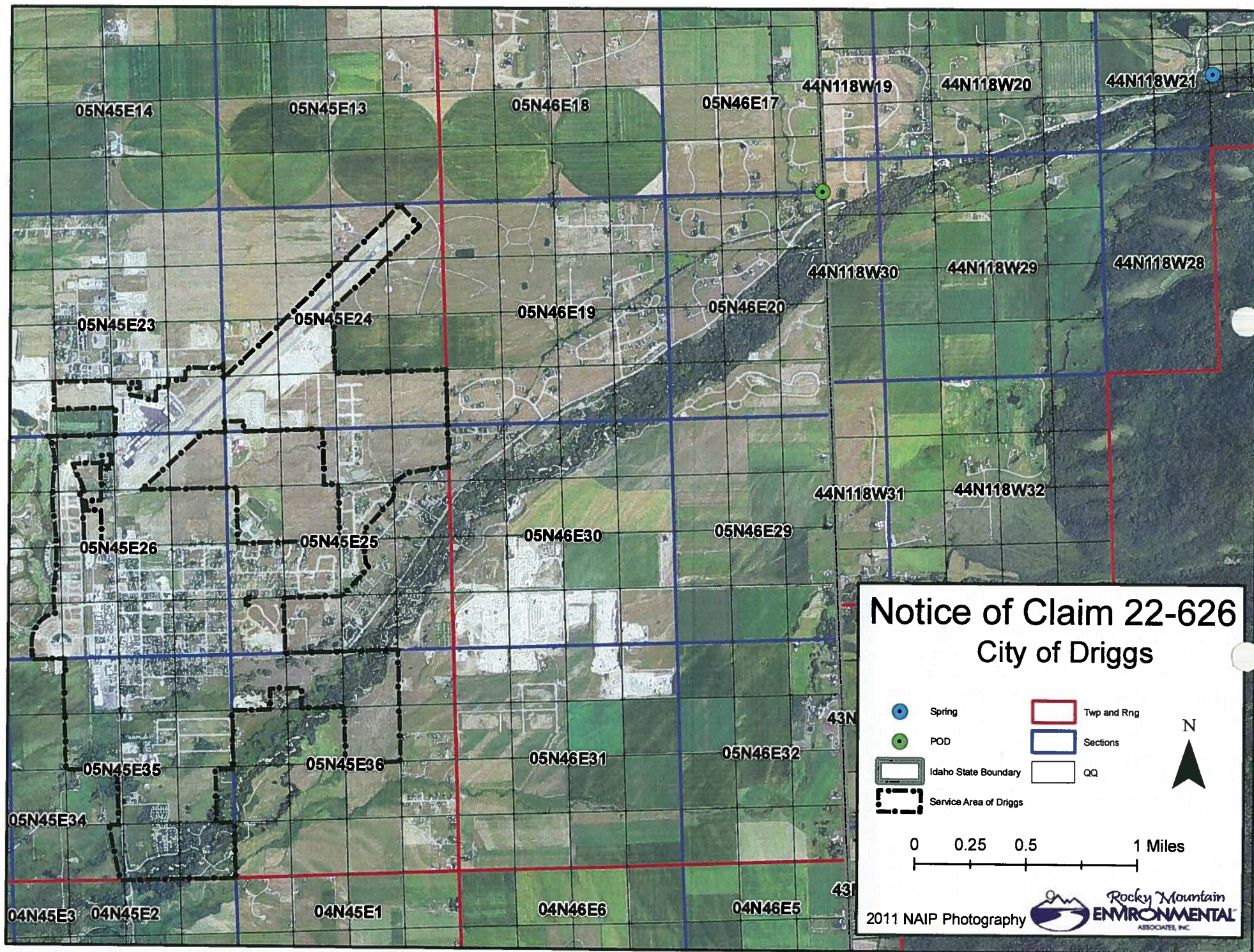
Notice is hereby given that I, Jerry R. Rigby, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Jerry R. Rigby Date 12-7-12

Address PO Box 250

Rexburg, ID 83440

Last Name Driggs Identification No. 22-626



Notice of Claim 22-626 City of Driggs

- Spring
- POD
- Idaho State Boundary
- Service Area of Driggs
- Twp and Rng
- Sections
- QQ

