

RECEIVED

NOV 19 2021

Department of Water Resources
DIVERSION Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s)
 ☐ Add diversion point(s)
 ☐ Ownership change
 ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Teton Water and Sewer Company, LLC Phone 208-201-4798

2. MAILING ADDRESS 3940 Grand Street City Driggs

State ID _____ Zip 83422 _____ Email jpinardi@silverstar.com _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 22-13178

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.1 cubic feet per second and/or acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

See Attached Information

- b. Who owns the property at the point(s) of diversion? Teton Springs Holding Company, LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

See Attached Grant of Easement for the Open Space for the points of diversion

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of applicant or authorized agent

Print name and title if applicable

11/15/2021
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by _____ Date _____

Fee paid \$580.00 Date 11/17/21

Received by CxH

Receipt # E047548

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

1

ADDITIONAL INFORMATION
TO ACCOMPANY APPLICATION FOR TRANSFER OF WATER RIGHTS
POINTS OF DIVERSION
APPLICANT: TETON WATER AND SEWER COMPANY, LLC
WATER RIGHT: 22-13178

4. TOTAL AMOUNT OF WATER

This transfer application, like that approved under Transfer No. 82015 will enable Well #3 to divert groundwater up to the maximum allowed under Water Right 22-13178 (1.1 cfs) so that this well can be rotated with the other two existing wells to maximize options during peak demand periods and to provide redundancy in response to repairs or outages affecting Wells #1 and Well #2.

6. GENERAL INFORMATION

- a. Well #3, like existing Well #1 and Well #2, will be equipped with a submersible pump and motor installed inside the well casing. The well will discharge through a below ground pitless unit that will connect to piping in an adjacent control building which will, in turn, connect directly to the Teton Springs distribution system. Piping in the building will include a flow meter, isolation valves and side discharge that would allow the well to pump to waste, separate from the distribution system, for testing and sampling as necessary in the operation and maintenance of the well. The control building will also include electrical controls and telemetry equipment necessary for the operation of the well.

The distribution system includes a network of 6, 8 and 12 inch water mains connected to an elevated 500,000 gallon steel storage tank. The distribution system "floats" on the storage tank which has an operating level that maintains pressure for the entire service area while providing operating, emergency and fire suppression storage. An attached map shows the principal system components.

The flow from the well can be isolated at each control building with valves. The wells can also be "locked out" with the associated electrical switch gear.

- b. Attached with this application is the record plat map, Instrument #195405, showing the five new proposed points of diversion. All of the points are on Open Space Lots 1-7, currently owned by Teton Springs Holding Company, LLC. The open space lots are subject to a general easement for utilities including supply wells and infrastructure.

#3d

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82015

This is to certify that: TETON WATER & SEWER CO LLC
3940 GRAND ST
DRIGGS, ID 83422

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-13178	WR/LICENSE	4/9/2008	1.100 cfs	349.0 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13178	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-13178	22-13178	1.100 cfs	349.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.100 cfs	349.0 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 5th day of April, 2018.


Water Resources Program Manager

Transfer No. 82015

#3e

WATER RIGHT NO. 22-13178
As Modified by Transfer No. 82015

In accordance with the approval of Transfer No. 82015, Water Right No. 22-13178 is now described as follows:

Right Holder: TETON WATER & SEWER CO LLC
 3940 GRAND ST
 DRIGGS, ID 83422

Priority Date: 4/9/2008

Source: GROUND WATER

BENEFICIAL USE
 MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
 1.100 cfs
 1.100 cfs

Diversion Volume
 349.0 af
 349.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE
 GROUND WATER NESE
 GROUND WATER NWSW

Sec 14 Twp 03N Rge 45E TETON County
 Sec 23 Twp 03N Rge 45E TETON County
 Sec 24 Twp 03N Rge 45E TETON County

CONDITIONS OF APPROVAL

1. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
2. Place of use is within the area served by the public water supply system of Teton Springs Golf and Casting Club. The place of use is generally located within Sections 13, 14, 23, and 24, Township 3N, Range 45E.
3. Prior to diversion and use of water under Transfer approval 82015, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. The points of diversion for this right located in Sections 23 and 24 are within Homestead Entry Survey No. 386.

Transfer No. 82015

WATER RIGHT NO. 22-13178

As Modified by Transfer No. 82015

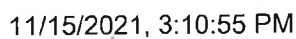
CONDITIONS OF APPROVAL

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



Transfer No. 82015

#4



1:18,056

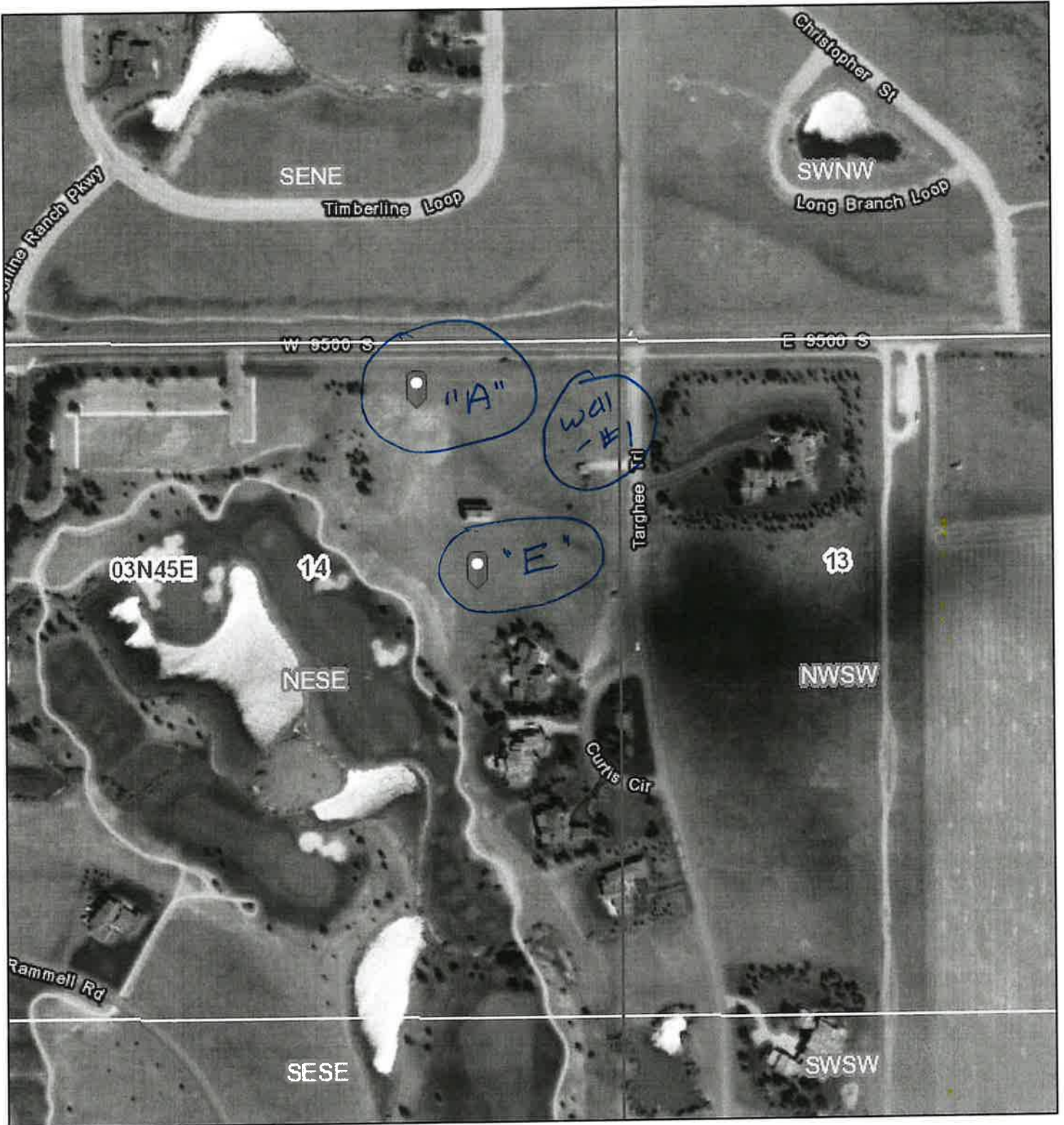
0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

Idaho Department of Water Resources

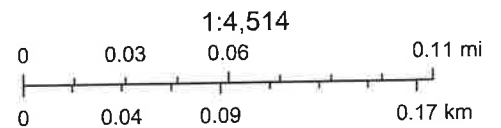
Application for Water Right

#59



11/15/2021, 3:05:23 PM

- Counties
- Township/Range
- Quarter Quarter
- Idaho Outline
- Section
- Idaho Mask



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

Idaho Department of Water Resources

85536

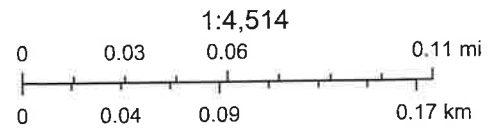
Application for Water Right

#55



11/15/2021, 3:07:05 PM

- Counties
- Township/Range
- Quarter Quarter
- Idaho Outline
- Section
- Idaho Mask



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, iPC, Idaho Department of Water Resources, Maxar

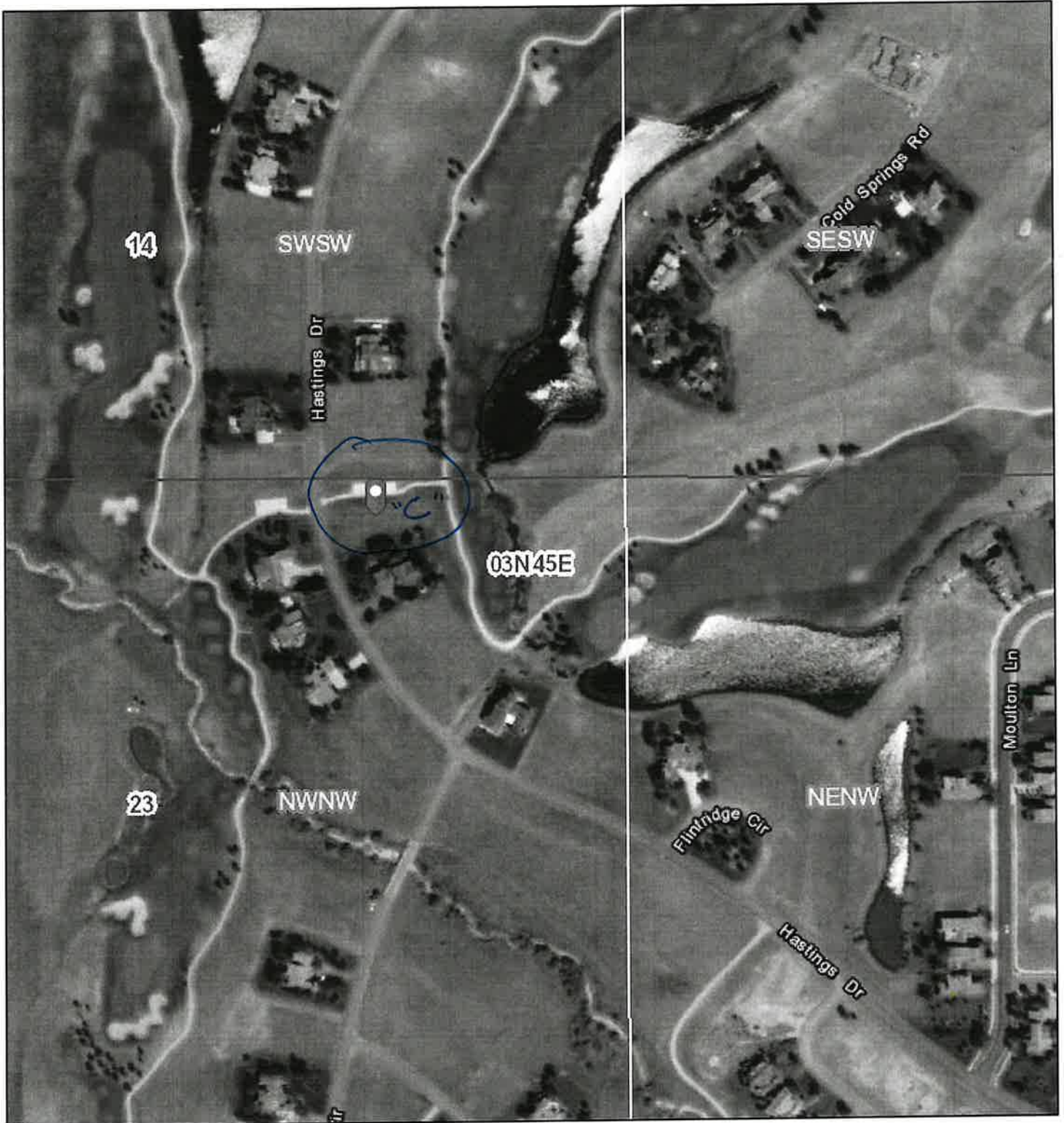
Idaho Department of Water Resources

Mayer | Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water Resources, USDA Natural Resources Conservation Service, Esri, HERE, iPC, Maxar

85536

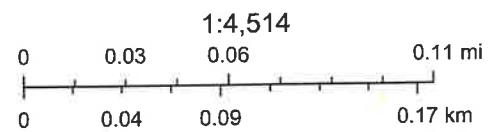
Application for Water Right

#5c



11/15/2021, 3:08:05 PM

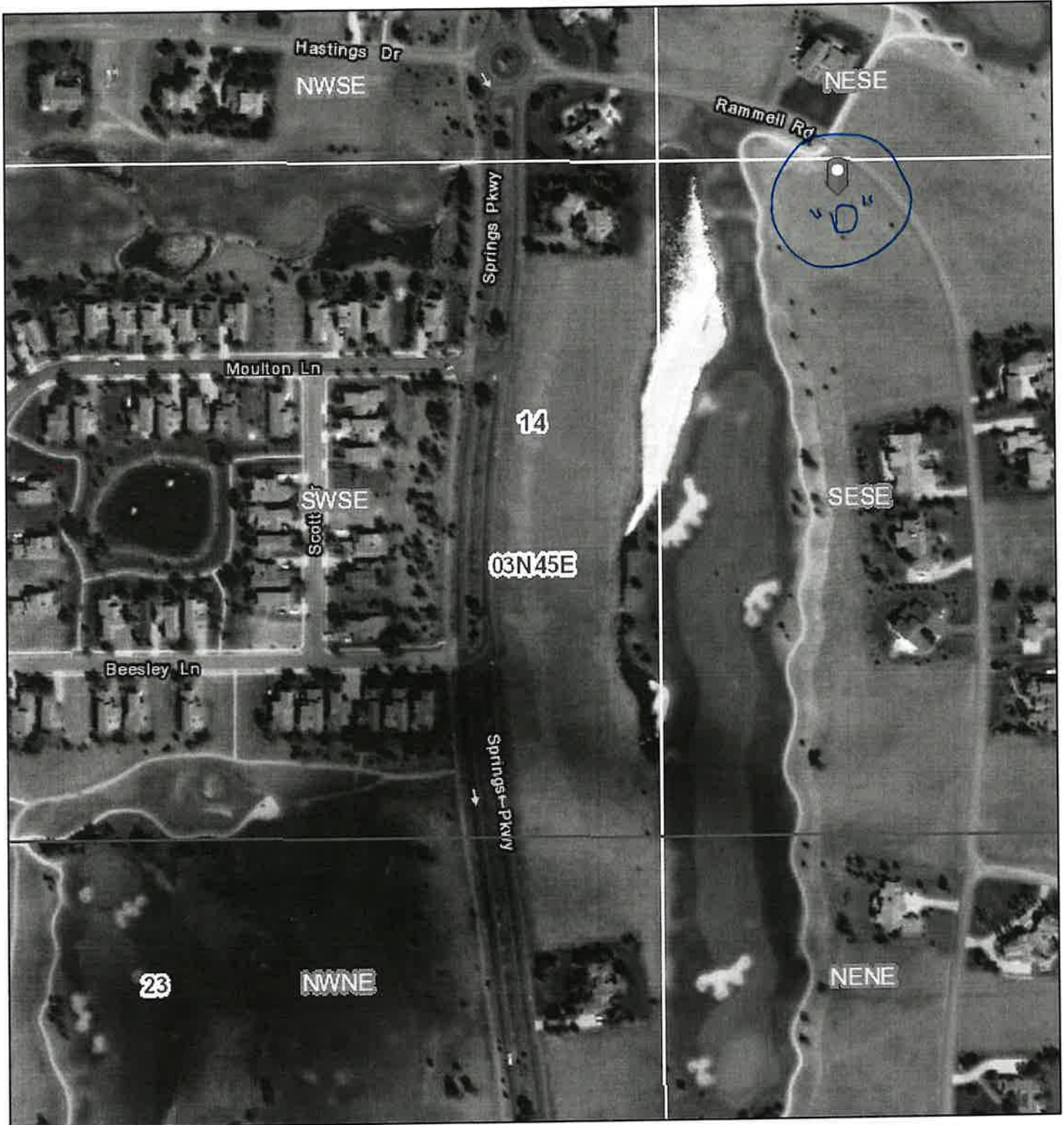
- Counties
- Township/Range
- Quarter Quarter
- Idaho Outline
- Section
- Idaho Mask



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

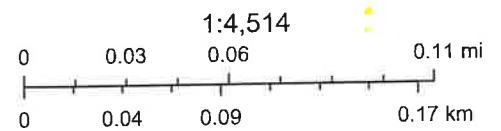
Application for Water Right

#52



11/15/2021, 3:08:53 PM

- Counties
- Township/Range
- Quarter Quarter
- Idaho Outline
- Section
- Idaho Mask



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

Idaho Department of Water Resources

65536



Clearwater Geosciences, LLP
Ground Water Development and Exploration

March 4, 2020

Mr. Jon Pinardi
Teton Water and Sewer Company
PO Box 786
3940 Grand Street
Driggs, ID 83422

RE: TETON SPRINGS WELL 3 DRILLING LOCATION ASSESSMENT

Dear Mr. Pinardi:

This letter transmits my assessment of the current proposed drilling location for Teton Springs Well 3. For this assessment, I leaned heavily upon my previous study of the area in 1999. On the basis of that report, Well 1 and Well 2 were drilled. The wells targeted two geologic plays: 1) sand and gravel within the valley fill; and 2) a fractured bedrock target. I recommended drilling two test wells but in the end two wells were drilled that could be converted into production wells. Well 1 was drilled first and it was successful, but to be successful we had to penetrate the full thickness of the clay rich valley fill to tap a rhyolite aquifer (473 to 792). Well 2 was drilled second to a depth of 1140 ft and it is essentially a dry hole. It penetrated rhyolite (44 to 185 ft), a fault plane with much chert to 359 ft and below this, meta-sediments. The well will only make 45 gpm.

With the knowledge gained from Well 2, my enthusiasm for targeting meta-sediments has waned. The current proposed well location might encounter water bearing rhyolite but it doesn't seem to be thick enough to yield much water. The other concern is that it is on the edge of the aquifer so long term pumping would be impacted by the aquifer boundary formed by the edge of the basin. When I spoke with Greg Eager of DEQ he mentioned that the current location couldn't be moved because the idea was to tap into water bearing fractures associated with upgradient springs. I am aware of Sherman spring in this area and in 1999 I did a chemical analysis of the water in the spring and it is more closely related to surface water than to deeply percolated water from fractures. Its chemistry is intermediate between Teton River water and ground water. This suggests to me that the spring(s) are not fed by a deep source but are fed by precipitation and snowmelt.

The Teton Valley was filled with sediment eroded from the surrounding mountains and volcanic material erupted from the Snake River Plain/Yellowstone and the Heise Volcanics. Trail Creek is the largest valley tributary near Teton Springs and the stream draining Pole Canyon is also significant. During waning periods of the ice ages high levels of melt water deposited gravel, sand, silt and clay on the valley floor. Unfortunately, deposition occurred into a large lake formed because the Teton Basin was often blocked by volcanic eruptions and inundated by falling ash. This depositional environment led to a dirty formation where large gravels are often mixed with fine grained clay. Targeting locations in-line with the axis of nearby drainages should increase the probability of encountering clean gravel, because gravel is deposited first as the stream velocity decreases. During my analysis of Drillers Logs on file with IDWR, I couldn't find many descriptions of clean gravel. I think it is unlikely we might drill a well in the valley sediments capable of 600 gpm. I think the range of a maximum 200 gpm is about all we can hope for.

You provided a couple of locations in the southwest corner of the property, which intrigue me. This area is near the mouth of Pole Canyon and perhaps we might encounter some cleaner sediments. On the other hand, the Charette Well (Figure 2) encountered mostly clay to a depth of 285 ft and is reported to make 1 gpm. Locations ASBW 47 and ASBW 44 are closer to the mountain front and may be cleaner but will also suffer from having a bounded aquifer.



Clearwater Geosciences, LLP
Ground Water Development and Exploration

The final option and the only one that has been successful to date is finding a location at the north end of the property and drilling through the valley sediments to rhyolite. Any of the locations you have identified, ASBW 27, 28, and 2 will work. I cannot say for sure if a well will penetrate fractured water bearing rhyolite at any of these locations. Only drilling will determine this. Well 1 was successful and we drilled a deep well 7 miles northwest of this location through the valley sediment to tap the rhyolite aquifer (930-963 ft). This well was tested at 290 gpm but would make 400 gpm. If you decide to drill in this area pick a location based on engineering considerations, e.g. available power, water lines, etc.

I recommend that you consider drilling test wells if you drill along the southern boundary. Roger can help determine the most cost-effective way to get this done. A well along the northern boundary can start out as a production well and hopefully it will be successful.

I hope that this letter helps. I think it at least puts things into perspective. I would be glad to talk with you about this report and go over any questions you might have.

Respectfully,

A handwritten signature in black ink, appearing to read "Thomas R. Wood".

Thomas R. Wood, PhD, PG





STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

900 North Skyline Drive, Suite B • Idaho Falls, ID 83402 • (208) 528-2650

Brad Little, Governor
John H. Tippetts, Director

April 14, 2020

Jon Pinardi
Teton Springs Water and Sewer
PO Box 786
Driggs ID 83422

Dear Mr. Pinardi:

**Teton Springs Water and Sewer Proposed Well 3 Site Approval
Teton County. DEQ No. 20-03-41. (PWS No. ID410033)**

This letter is in regard to the proposed options for the location of Well No. 3 that were inspected by you, Bob Ablondi and I on April 2, 2020. The following well sites were inspected.

Option No. 1 is located approximately at 03N, 43E, Section 14, nesw. *Option B*

Option No. 2 is located approximately at 03N, 43E, Section 23, nwnw *C*

Option No. 3 is located approximately at 03N, 43E, Section 14, nese (adjacent to Well No.1) *A*

As discussed, all three well site options were acceptable to the Department of Environmental Quality. We look forward towards the submittal of the Water Supply Well Engineering Report as well as below ground engineering plans and specifications. Upon completion of the well, the Well Completion Report with the following information and data must be submitted by the water system to the Department. A copy of the well log, test pumping results, as constructed plans showing annular seal, including depth and sealant material used and method of application, casing perforations, and recommend pump depth shall be included as specified in "Idaho Rules for Public Drinking Water Systems", IDAPA 58.01.08.510.06.

In addition, prior to use as a drinking water source, the engineering plans and specifications before construction and installation of the water supply well's pump, discharge piping, and appurtenances as required by IDAPA 58.01.08.511 as well as water quality analyses of the water produced by the well, must be submitted and approved by this office.

Please keep our office informed of the scheduling of all construction phases so that we can make spot inspections as necessary. If you have any questions regarding this letter or if we can be of further assistance, please contact me at (208) 528-2650.

Sincerely,

Gregory Eager, PE
Engineering Manager
Idaho Falls Regional Office

C: Bob Ablondi, Rendezvous Engineering
Tom Wood, Clearwater Geosciences
Nick Nielsen, DEQ

85536

OP. "E"
From DEQ #8

Jon Pinardi

From: Gregory.Eager@deq.idaho.gov
Sent: Wednesday, September 29, 2021 1:11 PM
To: jpinardi@silverstar.com
Cc: rtablondi@rdzeng.com; roger@andrewwelldrill.com; Gregory.Eager@deq.idaho.gov
Subject: RE: Teton Springs Well #3 - Potential New Site

Based on your sketch and google earth image, the new well site is hereby approved. Please submit the well engineering report and ancillary plans and specs when they are completed. ge

From: Jon Pinardi [mailto:jpinardi@silverstar.com]
Sent: Wednesday, September 29, 2021 8:02 AM
To: Gregory Eager
Cc: 'Bob Ablondi'; roger@andrewwelldrill.com
Subject: Teton Springs Well #3 - Potential New Site

Greg,

It looks like drilling is imminent for this fall or early winter with Roger from Buchanan. We are looking at one additional potential site, it is in the same vicinity as the current Well #1 and the approved site we looked at last year that is about 300' NW of the current well near the fenceline, 9500 South and to the north of the old Barn.

The new site is approximately 300' SW of the current well and the south of the old Barn, located in the area behind 6 Curtis Circle.

Attached is a sketch for your review. Given the same vicinity and proximity to the current Well #1, would you need to make a site visit in order to consider approval of this location for the potential 3rd well?

Thank you,
Jon Pinardi
Teton Springs Water and Sewer
Cell 208-201-4798

9a

Jon Pinardi

From: Gregory.Eager@deq.idaho.gov
Sent: Thursday, October 7, 2021 11:07 AM
To: jpinardi@silverstar.com
Cc: Gregory.Eager@deq.idaho.gov
Subject: RE: Teton Springs Well #3 - Potential New Site

Jon,

The well site is acceptable to DEQ. ge

Option
"D"
From DEQ



Greg Eager, PE.
Engineer Manager
Idaho Department of Environmental Quality
900 North Skyline
Idaho Falls, ID 83402
Office: (208) 528-2650
<http://www.deq.idaho.gov/>

From: Jon Pinardi [mailto:jpinardi@silverstar.com]
Sent: Wednesday, October 6, 2021 8:55 AM
To: Gregory Eager
Subject: Re: Teton Springs Well #3 - Potential New Site

Good question, not less than 220 feet from the edge of the pond and probably closer to 250 feet. Thanks

Sent from my iPhone

On Oct 6, 2021, at 8:23 AM, Gregory.Eager@deq.idaho.gov wrote:

What is the distance between the well site and the pond on the image?

From: Jon Pinardi [mailto:jpinardi@silverstar.com]
Sent: Tuesday, October 5, 2021 9:31 AM
To: Gregory Eager
Cc: 'Bob Ablondi'; roger@andrewwelldrill.com
Subject: RE: Teton Springs Well #3 - Potential New Site

Greg,

We have identified one final possible well site.....please see the attached. If approved, this will give us a total of 5 possible well sites to choose from once Roger is on-site in a few weeks. This site is approximately 700 yards sound of the current Well #1 directly off Rammell Road just East of Springs Parkway.

#96

Thank you,
Jon Pinardi
Cell 208-201-4798

From: Gregory.Eager@deq.idaho.gov <Gregory.Eager@deq.idaho.gov>
Sent: Wednesday, September 29, 2021 1:11 PM
To: jpinardi@silverstar.com
Cc: rtabloni@rdzeng.com; roger@andrewwelldrill.com; Gregory.Eager@deq.idaho.gov
Subject: RE: Teton Springs Well #3 - Potential New Site

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Sent: Wednesday, September 29, 2021 8:02 AM
To: Gregory Eager
Cc: 'Bob Ablondi'; roger@andrewwelldrill.com
Subject: Teton Springs Well #3 - Potential New Site

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The new site is approximately 300' SW of the current well and the south of the old Barn, located in the area behind 6 Curtis Circle.

Attached is a sketch for your review. Given the same vicinity and proximity to the current Well #1, would you need to make a site visit in order to consider approval of this location for the potential 3rd well?

Thank you,
Jon Pinardi
Teton Springs Water and Sewer
Cell 208-201-4798

GRANT OF EASEMENT

For value received, TETON SPRINGS GOLF & CASTING COMPANY, LLC, a Wyoming limited liability company (Grantor), its successors and assigns, does hereby agree, convey, grant and / or assign unto TETON WATER AND SEWER COMPANY, LLC, an Idaho limited liability company (Grantee), its successors and assigns, perpetual easements and benefits, or the assignment of its easement and benefits, for ingress, egress, maintenance, operations, placement of utilities including but not limited to the placement, construction, maintenance, and operation of wells and any and all water and sewer equipment and infrastructure necessary and all other purposes reasonably necessary to accommodate the provision of water and sewer utility service for the Teton Springs planned unit development on "Golf Land" as described below. The easement and benefits are more particularly described as follows:

All land included in "Golf Land" as described and defined in the Master Declaration of Protective Covenants and Master Development Guidelines for Teton Springs Golf & Casting Club as Exhibit C and recorded as Instrument No. 167362 in the records of Teton County, Idaho. The Final Phase One Subdivision Plat of Teton Springs Golf and Casting Club as recorded on February 13, 2001 with the office of the Clerk of Teton County, Idaho, defines and delineates the Golf Land more particularly described as Open Space Areas 1, 2, 3, 4, 5, 6, 7.

Grantor, successors and assigns, do also hereby convey, grant and / or assign its interest unto Grantee the use of any and all easements provided for the use and benefit of the Golf Owner and Golf Land as described in the "Golf Course Play and Operational Easement" as "Exhibit F" in the Master Declaration of Protective Covenants and Master Development Guidelines for Teton Springs Golf & Casting Club.

Grantor, successors and assigns, do further hereby convey, grant and / or assign its interest unto Grantee the use of any and all easements provided for the use and benefit of the Golf Owner and Golf Land as described in the Warranty Deed #191968 as recorded on September 27, 2007 between Teton Springs Golf and Casting Club, LLC and Teton Springs Homeowners Association, Inc.

Parcel 1: Block 29, Tract 4, Well Lot 2, of Teton Springs Golf and Casting Club, Phase 4, Teton County, Idaho, as per the plat recorded July 26, 2004, as Instrument No. 162408.

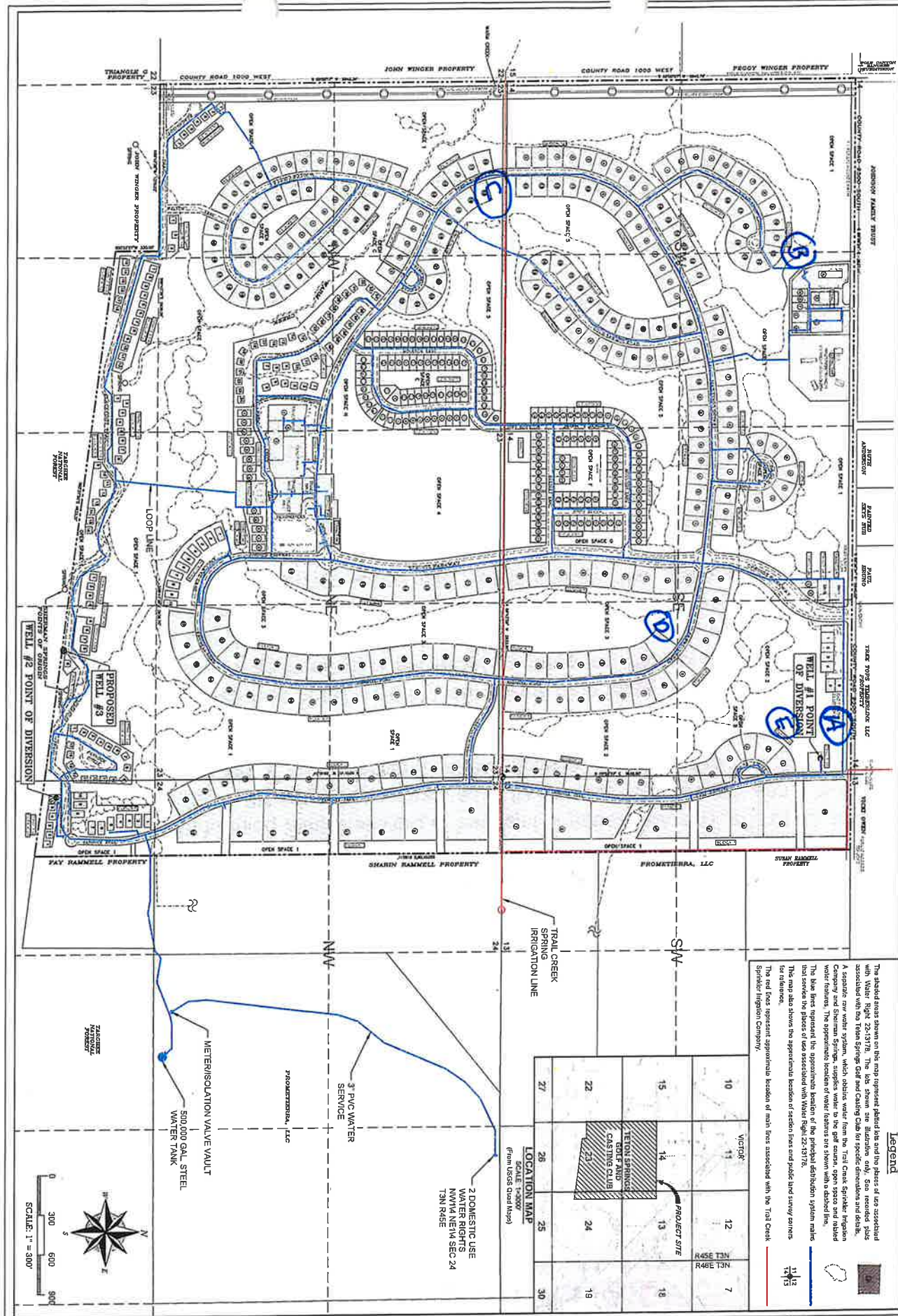
Parcel 2: Tract 16, Well Lot 1, of Teton Springs Golf and Casting Club, Phase 4, Teton County, Idaho, as per the plat recorded July 26, 2004, as Instrument No. 162408.

Robert Marshall
Robert Marshall, Managing Partner
Teton Springs Golf & Casting, LLC

Date SEPT. 17, 2014

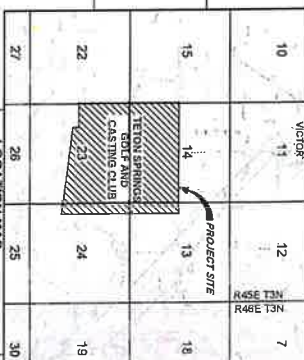
[Signature]
Jon Pihardi, Managing Partner
Teton Water and Sewer Company, LLC

9/17/14

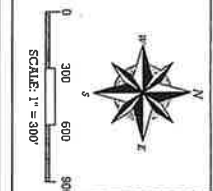


Legend

The shaded areas shown on the map represent platted lots and the pieces of lots associated with Water Right 22-13176. The lots shown are illustrative only. Some recorded plats associated with the Teton Springs Golf and Country Club for specific dimensions and details. A separate civil water system, which obtains water from the Teton Creek Sprinkler Irrigation Company and Shoshone Springs, supplies water to the golf course, open space and related water features. The approximate location of water features are shown with a dashed line. The blue lines represent the approximate location of the proposed distribution system main that serves the pieces of lots associated with Water Right 22-13176. This map also shows the approximate location of section lines and public land survey points for reference. The red lines represent approximate location of each line associated with the Teton Creek Sprinkler Irrigation Company.



LOCATION MAP
SCALE 1"=1000'
(from USGS Quad Map)



PROJECT TITLE TETON WATER AND SEWER CO., LLC MAP TO ACCOMPANY TRANSFER APPLICATION FOR CHANGE IN POINT OF DIVERSION	DRAWING TITLE PLACES OF USE AND POINTS OF DIVERSION FOR WATER RIGHT 22-13176	RENDEZVOUS ENGINEERING, P.C. P.O. BOX 4858 JACKSON WYOMING 83001 25 SOUTH CROSS VENTURE STREET PHONE - 307.733.5252 FAX - 307.733.2334	Prepared By: WR1
			Date: 11/13 Rev: 001 Title: WR1 Scale: 1"=300'

RECEIVED

NOV 17 2021

Teton Water and Sewer Company

Department of Water Resources
Eastern Region

November 15, 2021

Mr. Michael Holliday
Water Rights Supervisor
IDWR Eastern Region
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Water Right 22-13178, Transfer Application for Point of Diversion

Mr. Holliday:

Attached for your review is a Transfer Application for a change in the point of diversion from the previously approved point of diversion as modified by Transfer No. 82015 dated April 5, 2018. This application is to change the location of that point of diversion and add a list of potential points based upon the success of drilling of a test well or wells.

The reason for the change of point of diversion is based upon inputs from the geologist, Mr. Tom Woods, as well as Roger Buchanan and Robert Ablondi. Specifically, it was decided that the original location at the southern boundary of Teton Springs at NESE, Sec 23, Twp 03N, Rge 45E in Teton County would not be as suitable for a PWS well as other potential locations further to the North.

We are asking for approval for five (5) points of diversion, all sites approved by DEQ, because it is unknown as to which, if any, of the points will provide suitable yields of water to achieve our goals. The plan, after discussions with Ryan Tracy in the drilling division, is to drill a test well in an approved location. If suitable yield is found, a production well will then be drilled in that location. If the test well does not provide suitable yield, then it will be abandoned and a test drill will be drilled in another of the approved locations. The idea is to continue this process until suitable yield can be achieved. In the end, only one point of diversion will be used of the five.

As you are aware, this water right serves the 774 acre Teton Springs Golf and Casting Club development located just south of Victor Idaho in Sections 13, 14, 23, 24 T3N, R45E. The first subdivision plat was filed in 2000 as the project was developed in phases. With amendments, the current project is entitled for approximately 656 residential units along with various mixed use visitor services. The domestic water system provides potable use to the development as irrigation is supplied through a separate raw water system associated with the Trail Creek Sprinkler Irrigation Company.

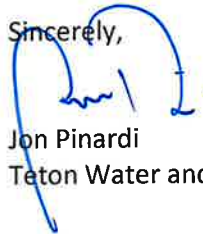
As outlined in our original point of diversion application dated October 17, 2017 and subsequent approval, we are not attempting to increase our approved diversion rate of 1.1 cfs. The general target yield of the new well is still 150 gpm, however, as noted in the attached application, the full diversion rate of 1.1 cfs is requested with this transfer. This would allow full water right allocation to be pumped in the event that the well is shown to be capable of higher yields. This would also provide system redundancy and enable operators to rotate all three wells and rest Wells #1 and #2, especially during the peak summer use period.

We are also attaching with this application the following documents:

- 1) Additional information to accompany the standard transfer application.
- 2) Copy of Water Right dated June 20, 2012.
- 3) Transfer No. 82015 for Water Right No: 22-13178 Approval from IDWR.
- 4) Map of five (5) proposed points of diversion for Well #3.
- 5) Enlarged maps of (5) proposed points of diversion for Well #3.
- 6) Letter Correspondence of March 4, 2020 from Tom wood of Clearwater Geosciences with his assessment of the original point of diversion and thoughts on other locations.
- 7) Letter of Correspondence of April 14, 2020 from Gregory Eager of DEQ approving the three of the five proposed sites for drilling of a Well. For clarification, we have now labeled the sites with Option "Letters" instead of numbers to correspond to this point of diversion application (Options A-E). This letter references Options A, B, C.
- 8) E-mail Correspondence of September 29, 2021 from Gregory Eager of DEQ approving Site Option E.
- 9) E-mail Correspondence of October 7, 2021 from Gregory Eager of DEQ approving Site D.
- 10) Grant of Easement for placement of utilities in Open Space lots 1-7.
- 11) Sheet 1 from Instrument #195405 which is the recorded consolidated plat for Teton Springs Golf and Casting Club. This exhibit shows the Well site options withing the Open Space lots described by the Grant of Easement.
- 12) Illustrative map of the Teton Springs water system showing the mains, wells, storage tank and proposed new points of diversion.

Thanks for your assistance. Please let us know if you need any additional information regarding this application.

Sincerely,



Jon Pinardi
Teton Water and Sewer Company

Cc: Robert Ablondi, Rendezvous Engineering



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 23, 2021

TETON WATER & SEWER CO LLC
3940 GRAND ST
DRIGGS, ID 83422

RE: Transfer No. 85536
Water Right No(s). 22-13178

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the TETON VALLEY NEWS on 12/1/2021 and 12/8/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Tuesday, November 23, 2021 3:20 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Teton Valley News
Attachments: 85533, 85536 Teton Valley News.docx

LEGAL NOTICE DEPARTMENT
TETON VALLEY NEWS
80 E LITTLE AVE
DRIGGS, ID 83422

RE: Transfer No. 85533, 85536
Water Right No(s). 22-11174, 22-13178

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/20/2021. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85533**

PAPA STEVE LLC, 2546 COUNTY RD 308, DURANGO, CO 81303 has filed Application No. 85533 for changes to the following water rights within TETON County(s): Right No(s). 22-11174; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion and place of use are in NESE Sec 12 T06N R45E for 0.04 cfs for domestic use from ground water.

TRANSFER NO. 85536

TETON WATER & SEWER CO LLC, 3940 GRAND ST, DRIGGS, ID 83422 has filed Application No. 85536 for changes to the following water rights within TETON County(s): Right No(s). 22-13178; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

change point of diversion. The 2 existing points of diversion located in NESE Sec 14 and NWSW Sec 24, T03N R45E will not change. A third point of diversion is proposed for one of the following locations: NESE, NWSW, SESE Sec 14, or NWNW Sec 23, T03N R45E for a total of 1.10 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 12/20/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/1/2021 and 12/8/2021