

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 22-14310

Priority: May 10, 2018

Maximum Diversion Volume: 4.0 AF

This is to certify, that VANESSA CHIVERS AND
COREY CHIVERS
46 HILLCREST AVE
SUMMIT NJ 07901-2023

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM **Tributary:** TETON RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SW¼ SW¼ Sec. 29, Twp 04N, Rge 45E, B.M. TETON County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 29												X					

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2023**.
2. Subject to all prior water rights.
3. Water shall not be diverted under this right when flows in the Teton River are below established minimum flow amounts.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. The three (3) ponds established by the storage of water under this right shall not exceed a total capacity of 4.0 acre-feet or a total surface area of 1.4 acres.

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7. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation by non-use. The mitigating right may also include a condition stating that the mitigation by non-use is for the benefit of this right.

Right No.	Use Changed to Mitigation by Non-Use	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
22-14306	Irrigation	0.01	0.6	0.2

The land that will no longer be irrigated under this right is located within the SWSW, Section 29, Township 04N, Range 45E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

8. Initial filling of the ponds will be mitigated by holding the following portions of right 22-14306 unused for one irrigation season: 1.9 acres, 0.02 cfs, and 5.7 af.
9. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
10. Failure of the right holder to comply with any condition of approval is cause for the Director to cancel this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Signed

this 7th day of August, 20 19.



JAMES CEFALO

Water Resources Program Manager