

MEMO

TO: Water Right Files 22-13589 and 22-13979
FROM: James Cefalo JRC
DATE: April 20, 2017
RE: License Review for Permits 22-13589 and 22-13979 (City of Driggs)

In February 2007, IDWR approved Permit 22-13589, which authorized the diversion of ground water for in-house domestic use at 694 homes at the proposed Huntsman Springs subdivision. The permit holder was Huntsman Springs LLC. Later in 2007, the permit was assigned to the City of Driggs. The Huntsman Springs development was annexed into the City, with the understanding that Permit 22-13589 would cover the future water use associated with the Huntsman Springs development. Annexation was only possible because the subdivision came with its own water rights. The city filed an application for amendment, to change the beneficial use to "municipal" and change the place of use to include the entire municipal service area. IDWR approved the amendment in October 2011, and included the following conditions on the permit:

Municipal use is for 694 homes within the City of Driggs service area and does not include lawn, garden, landscape, or other types of irrigation.

The daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.

Due to the unique circumstances of Permit 22-13589, where Huntsman Springs Subdivision was annexed into the City of Driggs with the expectation that Permit 22-13589 would provide enough water for the subdivision, IDWR has determined to license water right 22-13589 as though it were still a domestic water right. The license will be based on the number of domestic connections stubbed in within Huntsman Springs Subdivision at the time proof of beneficial use was filed. According to the information available to IDWR at this time, there are 368 water connections at the Huntsman Springs Subdivision. Therefore, water right 22-13589 should be licensed for 0.78 cfs and 220.8 acre-feet per year (0.6 af/home/year) for municipal use at 368 homes.

IDWR issued Permit 22-13979 in October 2011. Permit 22-13979 authorized the diversion of 0.61 cfs for municipal use. Delivery of water to municipal patrons was limited to 13,000 gallons per day for residential use and 2,500 gallons per day for all other non-residential uses.

The City of Driggs provided a certified field exam in conjunction with proof of beneficial use for Permit 22-13979. The examiner's report included diversion data from the city for late-July 2016. According to the city, this time period is a fair representation of the maximum demand for the city. The following wells were operated by the city in late-July:

Huntsman	930 gpm
High School	840 gpm
Lions	670 gpm
<u>Tank</u>	<u>600 gpm</u>
Total	3,040 gpm (6.77 cfs)

The city's existing ground water rights, excluding Permit 22-13589, authorize 7.06 cfs, which is more than the maximum demand of the city.¹ The data provided by the city suggests that the current maximum ground water demand can be fully satisfied by the city's existing water rights. The field exam provided by the city did show that the city's ground water wells have the capacity to divert the city's existing rights and the full diversion rates described in Permits 22-13589 and 22-13979.

The city also diverts municipal water from a spring tributary to Teton Creek. In late-July 2016, the city was diverting 675 gpm (1.50 cfs) from the spring. This water was combined with ground water to meet the city's peak water demands. The city's water rights from the springs are as follows:

22-14003	6/28/1912	1.00 cfs
22-14109	6/8/1999	1.50 cfs

Both of these rights are junior to senior water rights on Teton Creek (the largest senior right held by Grand Teton Canal Company (GTCC)) and are subject to curtailment. Currently, the city owns shares in GTCC and has an agreement with the company where the city can continue to divert from the spring, even though it impacts the quantity of water available under GTCC's rights. If this agreement expires or is terminated, the city's spring water rights could be curtailed during the summer months.

The city has demonstrated system capacity and peak demand which would allow water right 22-13979 to be licensed as an alternate supply to the city's spring water rights. Water right 22-13979 will be licensed for the full authorized rate (0.61 cfs). However, a condition must be added to limit the ground water diversion to be an alternate supply to the spring water rights. The following condition will be added to the license:

This right shall only be used as an alternate or backup water supply for spring water rights 22-14003 and 22-14109. Whenever water is diverted under this right, the right holder shall reduce the amount of water diverted from the spring source, described in water rights 22-14003 and 22-14109, by an amount equal to the rate diverted under this right.

¹ Water right 22-7786 only describes the Teton Creek Well, which was not pumped in late-July. Therefore, water right 22-7786 was not included in the total existing ground water supply.