

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79052**

This is to certify that: CITY OF DRIGGS
PO BOX 48
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>
22-2132	WR/DECREED	4/13/1949	1.110 cfs	803.6 af	N/A	N/A	GROUND WATER
22-7529	WR/LICENSE	7/30/1987	0.770 cfs	N/A	N/A	N/A	GROUND WATER
22-7698	WR/LICENSE	3/14/1991	1.340 cfs	N/A	N/A	N/A	GROUND WATER
22-7790	WR/LICENSE	4/3/1996	1.840 cfs	N/A	N/A	N/A	GROUND WATER
22-7814	WR/LICENSE	1/29/2007	2.000 cfs	199.0 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>
22-2132	NO	NO	NO	YES	NO	NO
22-7529	NO	NO	NO	YES	NO	NO
22-7698	NO	NO	NO	YES	NO	NO
22-7790	NO	NO	NO	YES	NO	NO
22-7814	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>
22-2132	22-2132	1.110 cfs	803.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
22-7529	22-7529	0.770 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
22-7698	22-7698	1.340 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
22-7790	22-7790	1.840 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
22-7814	22-7814	2.000 cfs	199.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.060 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 79052

IN FILE # 22-2132

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79052

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 7th day of May, 2014.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 22-7529

As Modified by Transfer No. 79052

In accordance with the approval of Transfer No. 79052, Water Right No. 22-7529 is now described as follows:

Right Holder: CITY OF DRIGGS
PO BOX 48
DRIGGS, ID 83422

Priority Date: 7/30/1987

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

1/01

To

to 12/31

Diversion Rate

0.770 cfs

0.770 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec 23 Twp 05N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 25 Twp 05N Rge 45E	TETON County
GROUND WATER	NENW	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NESE	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NWNE	Sec 35 Twp 05N Rge 45E	TETON County
GROUND WATER	NWSE	Sec 19 Twp 05N Rge 46E	TETON County
GROUND WATER	NESW	Sec 20 Twp 05N Rge 46E	TETON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Driggs municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license 22-7529 dated 3/20/1998.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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. 79052

WATER RIGHT NO. 22-2132

As Modified by Transfer No. 79052

In accordance with the approval of Transfer No. 79052, Water Right No. 22-2132 is now described as follows:

Right Holder: CITY OF DRIGGS
PO BOX 48
DRIGGS, ID 83422

Priority Date: 4/13/1949

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
MUNICIPAL	01/01	to 12/31	1,110 cfs	803.6 af
			1,110 cfs	803.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec 23 Twp 05N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 25 Twp 05N Rge 45E	TETON County
GROUND WATER	NENW	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NESE	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NWNE	Sec 35 Twp 05N Rge 45E	TETON County
GROUND WATER	NWSE	Sec 19 Twp 05N Rge 46E	TETON County
GROUND WATER	NESW	Sec 20 Twp 05N Rge 46E	TETON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Driggs municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree 22-2132 dated 11/26/2008.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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. 79052

WATER RIGHT NO. 22-2132

As Modified by Transfer No. 79052

CONDITIONS OF APPROVAL

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 22-7790

As Modified by Transfer No. 79052

In accordance with the approval of Transfer No. 79052, Water Right No. 22-7790 is now described as follows:

Right Holder: CITY OF DRIGGS
PO BOX 48
DRIGGS, ID 83422

Priority Date: 4/3/1996

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

01/01

To

to 12/31

Diversion Rate

1.840 cfs

1.840 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec 23 Twp 05N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 25 Twp 05N Rge 45E	TETON County
GROUND WATER	NENW	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NESE	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NWNE	Sec 35 Twp 05N Rge 45E	TETON County
GROUND WATER	NWSE	Sec 19 Twp 05N Rge 46E	TETON County
GROUND WATER	NESW	Sec 20 Twp 05N Rge 46E	TETON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Driggs municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and 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.

Transfer No. 79052

WATER RIGHT NO. 22-7790

As Modified by Transfer No. 79052

CONDITIONS OF APPROVAL

7. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license 22-7790 dated 8/27/2009.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 22-7698

As Modified by Transfer No. 79052

In accordance with the approval of Transfer No. 79052, Water Right No. 22-7698 is now described as follows:

Right Holder: CITY OF DRIGGS
PO BOX 48
DRIGGS, ID 83422

Priority Date: 3/14/1991

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

01/01

To

to 12/31

Diversion Rate

1,340 cfs

1,340 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec 23 Twp 05N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 25 Twp 05N Rge 45E	TETON County
GROUND WATER	NENW	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NESE	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NWNE	Sec 35 Twp 05N Rge 45E	TETON County
GROUND WATER	NWSE	Sec 19 Twp 05N Rge 46E	TETON County
GROUND WATER	NESW	Sec 20 Twp 05N Rge 46E	TETON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Driggs municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license 22-7698 dated 7/21/2009.
5. This right does not grant any right-of-way or easement across the land of another.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Transfer No. 79052

WATER RIGHT NO. 22-7698
As Modified by Transfer No. 79052

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 22-7814

As Modified by Transfer No. 79052

In accordance with the approval of Transfer No. 79052, Water Right No. 22-7814 is now described as follows:

Right Holder: CITY OF DRIGGS
PO BOX 48
DRIGGS, ID 83422

Priority Date: 1/29/2007

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

01/01

To

to 12/31

Diversion Rate

2.000 cfs

2.000 cfs

Diversion Volume

199.0 af

199.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESW	Sec 23 Twp 05N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 25 Twp 05N Rge 45E	TETON County
GROUND WATER	NENW	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NESE	Sec 26 Twp 05N Rge 45E	TETON County
GROUND WATER	NWNE	Sec 35 Twp 05N Rge 45E	TETON County
GROUND WATER	NWSE	Sec 19 Twp 05N Rge 46E	TETON County
GROUND WATER	NESW	Sec 20 Twp 05N Rge 46E	TETON County

CONDITIONS OF APPROVAL

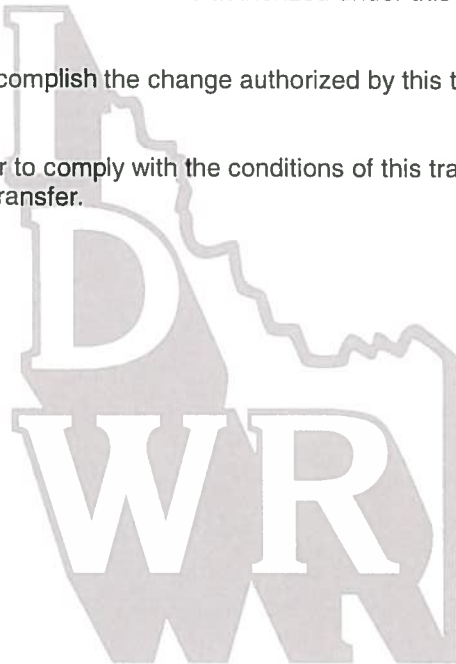
1. Place of use is within the service area of the City of Driggs municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Place of use for this right is generally located within the SENW and the NESW, Section 23, T5N, R45E, (Valley Centre Subdivision).
4. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and 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.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

WATER RIGHT NO. 22-7814

As Modified by Transfer No. 79052

CONDITIONS OF APPROVAL

7. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
8. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license 22-7814 dated 9/2/2011.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

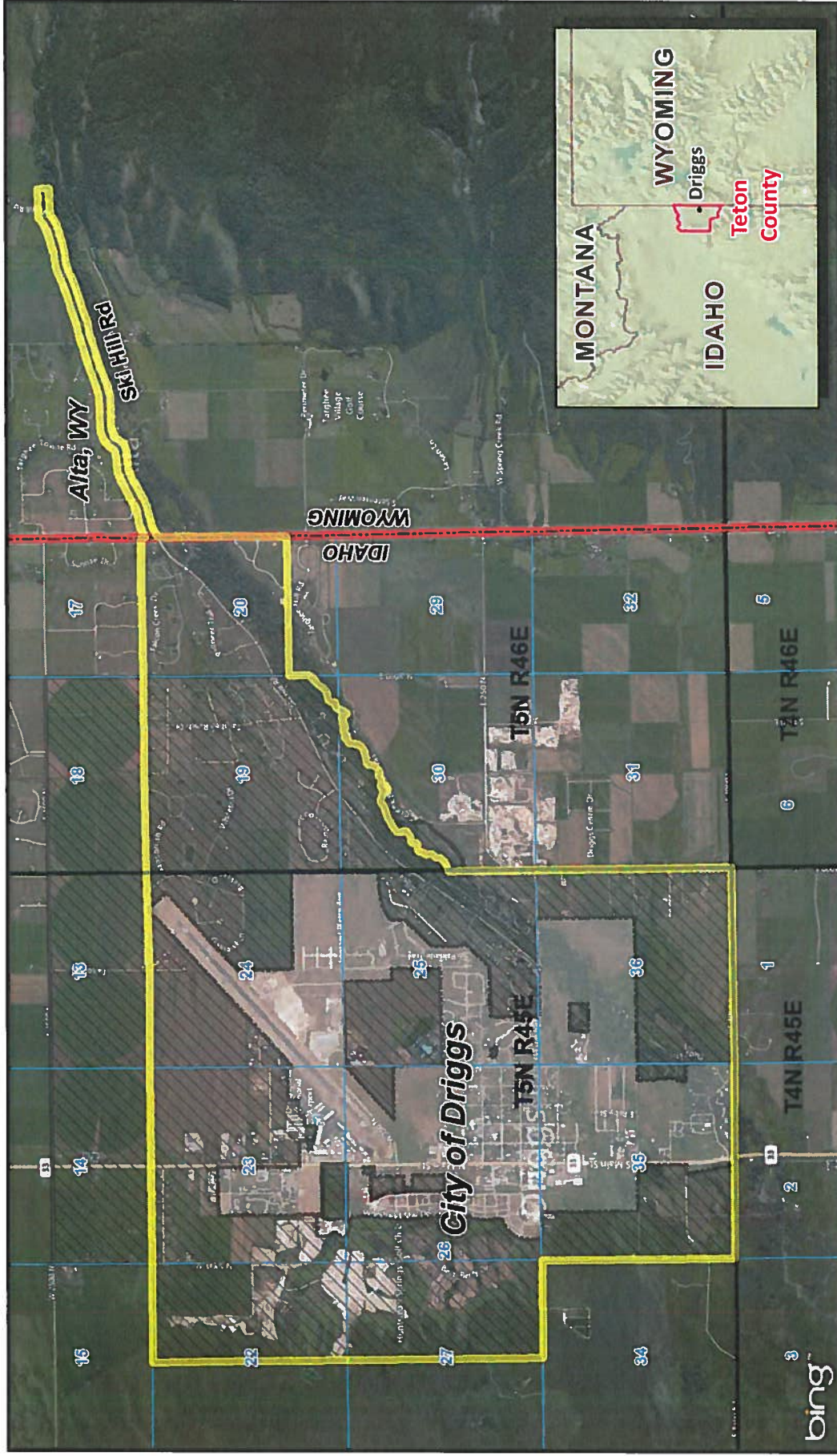


State of Idaho Department of Water Resources

City of Driggs Water Service Area Boundary

Transfer No. 79052

Water Rights: 22-2132, 22-7529, 22-7698, 22-7790, 22-7814



Service Area

County and State Boundary

Township

Sections

Driggs City Limits

Driggs Area of Impact



0 0.5 1

2 Miles

