

MEMORANDUM

DATE: July 20, 2009

TO: Water Right File 22-7698

FROM: Shelley W. Keen *SWK*

RE: Authorized points of diversion

The City of Driggs submitted an application to add six additional points of diversion to the one already listed on Permit 22-7698. Of the seven proposed points of diversion, only three were in place and being used by the time proof of beneficial use was submitted in 1995. Those three should be added to the permit and subsequent license for 22-7698. The other wells were added to the municipal water system later than 1995, and their collective contribution to the overall system capacity has not been confirmed.

IDWR usually analyzes requests to add points of diversion by permit amendment after proof of beneficial use according to the following criteria:

- If the field examiner confirms that the new well was used as a point of diversion for the right before proof of beneficial use was submitted, it can be added to the right through the permit amendment process.
- If the field examiner does not confirm addition of the new point of diversion to the water system, it can be added as an alternative point of diversion after licensing through the transfer process.
- If the field examiner confirms that the new well was added to the system after proof was submitted, it can still be added as an alternative point of diversion through the amendment process, but its contribution to the system capacity should not be considered when determining the diversion rate and annual volume that can be licensed. Reducing the number of transfer application is a current goal of IDWR's. This option allows the addition of the point of diversion without having to employ the transfer process.

In the case of Permit 22-7698, the three wells used before proof of beneficial use was submitted will be authorized through an amendment and licensed. IDWR initially considered authorizing a fourth point of diversion, the "high school well," because the field examiner confirmed its existence. Because questions remain about the contribution of the high school well to the municipal water system, and because the right holder will likely have to file a transfer to add additional points of diversion anyway, the high school well will not be included on the amendment and the license.