

**BEFORE THE DEPARTMENT OF WATER RESOURCES**  
**OF THE STATE OF IDAHO**

IN THE MATTER OF A DECLARATION )	
OF DROUGHT EMERGENCY FOR )	<b>ORDER DECLARING</b>
TETON COUNTY )	<b>DROUGHT EMERGENCY</b>
_____ )	

WHEREAS, the Board of County Commissioners for Teton County has requested that the Governor and the Director of the Idaho Department of Water Resources declare a drought emergency for Teton County to allow administrative actions to lessen the impacts of drought conditions in the county; and

WHEREAS, Teton County is included within the Teton River drainage; and

WHEREAS, drainages in and around Teton County are experiencing abnormally dry conditions with the year's snow packs having melted out about a month early and snow water equivalent levels below normal during the late spring season. The United States Drought Monitor Index shows Teton County included within that portion of southern and eastern Idaho classified as abnormally dry. Additionally, stream levels and flows on the Teton River are currently running about 65 percent of normal; there has been a lack of precipitation over the past one to two months (June precipitation at Driggs was 23 percent of normal); and daily temperatures have been up to ten degrees above normal over the past month. Water supply in Teton County will likely be stretched for the remaining irrigation season due to the early snow melt out, reduced stream flow levels, lower than normal summer precipitation, and lack of storage water facilities in the area; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency for an area designated by the Director of the Department of Water Resources ("Director") and approved by the Governor, the Director is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights and temporary exchanges of water rights when the Director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

NOW, THEREFORE, IT IS HEREBY ORDERED that pursuant to the authority of the Director provided in section 42-222A, Idaho Code, a drought emergency for purposes of section 42-222A, Idaho Code, is hereby declared for Teton County, Idaho.

IT IS FURTHER HEREBY ORDERED that pursuant to this declared drought emergency and the provisions of section 42-222A, Idaho Code, the following procedures and requirements shall apply to the filing, processing, and approval of any application for a temporary change to an existing water right within Teton County during the pendency of this declared drought

emergency:

1. An application for a temporary change to an existing water right shall be made upon forms provided by the department and shall be accompanied by an application fee of fifty dollars (\$50.00) per application.
2. The Director is not required to publish notice of the proposed change pursuant to the provisions of section 42-211, 42-222(1) or 42-240, Idaho Code, and is not required to make findings as provided in said sections. A temporary change may be approved upon completion of the application form, payment of the filing fee, and a determination by the Director that the proposed change can be properly administered and there is no information that the change will injure any other water right. If the right to be changed is administered by a watermaster within a water district, the Director shall obtain and consider the recommendations of the watermaster before approving the temporary change application.
3. All temporary changes approved pursuant to the provisions of this order shall expire on the date shown in the approval which shall not be later than December 31, 2012, and thereafter, the water right shall revert to the point of diversion and place of use existing prior to the temporary change. Nothing herein shall be construed as approval to authorize construction of a new well as a new point of diversion or to alter a stream channel.
4. The recipient of an approved temporary change issued pursuant to this order shall assume all risk of curtailment or mitigation should the diversion and use of water under the temporary change cause injury to other water rights or result in an enlargement in use of the original right.
5. Temporary changes shall only be approved for the purpose of providing a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. Temporary changes may not be approved to provide water for new development or to allow expansion of the use of water under existing water rights. If the right to use the water is represented by shares of stock in a corporation, or if the diversion works or delivery system for such right is owned or managed by an irrigation district, no change in point of diversion, place or nature of use of such water shall be made or allowed without the written consent of such corporation or irrigation district.
6. Any applicant for a temporary change who is aggrieved by a denial of the Director for a temporary change pursuant to this order and the provisions of section 42-222A, Idaho Code, may request a hearing pursuant to section 42-1701A(3), Idaho Code, and may seek judicial review of the final order of the Director pursuant to the provisions of section 42-1701A(4), Idaho Code.

IT IS FURTHER HEREBY ORDERED that this order is effective upon approval of the Governor and expires on December 31, 2012, unless extended or terminated by order of the Director.

DATED this 19<sup>th</sup> day of July, 2012.

  
GARY SPACKMAN  
Director

APPROVED this 20<sup>th</sup> day of July, 2012.

  
C.L. "BUTCH" OTTER  
Governor



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

July 20, 2012

Teton County Commissioners  
275 Old Railroad Way  
Driggs, ID 83422

**Re: Drought Declaration for 2012**

Dear County Commissioners:

On July 20, 2012, your request for a Declaration of Drought Emergency was approved. Enclosed is a copy of the official order declaring a drought emergency for Teton County. To view related documents and additional information, visit the Idaho Department of Water Resources (IDWR) website at <http://www.idwr.idaho.gov/News/drought/drought.htm>.

Please direct questions regarding this order to either Tim Luke at 208-287-4800 or the IDWR Eastern Region Office at 208-525-7161.

Sincerely,

Sarah Garceau  
Technical Records Specialist  
Water Distribution Section

Enclosure

cc: IDWR Eastern Region Office  
William Shawver, Bureau of Homeland Security



State of Idaho

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

July 20, 2012

William H. Shawver, Director  
Bureau of Homeland Security  
4040 W Guard Bldg 600  
Boise, ID 83707-5004

**Re: IDWR Drought Declaration for 2012**

Dear Director Shawver:

Enclosed is a copy of the order declaring drought emergency for Teton County. The Idaho Department of Water Resources (IDWR) hopes you find these documents helpful in keeping informed of the State's current drought conditions. To view electronic copies, related documents, and additional information, visit the IDWR website at <http://www.idwr.idaho.gov/News/drought/drought.htm>.

Please direct questions regarding these orders to Tim Luke, Water Compliance Bureau Chief, at [tim.luke@idwr.idaho.gov](mailto:tim.luke@idwr.idaho.gov) or 208-287-4800.

Sincerely,

Sarah Garceau  
Technical Records Specialist  
Water Distribution Section

Enclosure

# Teton Soil Conservation District



275 Old Railroad Way  
Driggs, Idaho 83422 • (208) 354-2680 ext. 3

July 9, 2012

Teton County Commissioners  
Kathy Rinaldi, Bob Benedict, and Kelly Park  
Driggs, Idaho 83422

Dear Honorable Commissioners;

At the request of farmers and ranchers in Teton County, the Teton Soil Conservation District hereby requests that the Commission consider a drought / frost disaster declaration for Teton County.

Although snow content levels for Teton County were in the 80% range over the winter, snow runoff peaked 3 and 4 weeks early for the 2012 irrigation season. For example, the Grand Targhee SNOTEL site dropped to zero inches of precipitation (snow) just before 6/27/2012, last year precipitation (snow) dropped off this site on 7/27/2011. In addition, the Phillips Bench SNOTEL site dropped to zero precipitation (snow) level nearly 3 weeks earlier than the average year; and Pine Creek SNOTEL site ran off nearly one month earlier than average (see attached data). This SNOTEL data coupled with little or no rainfall and frost during the month of June has created a disaster for hay and grain.

National Weather Service climate data indicating frost and precipitation from June 13 to July 5, 2012 as follows:

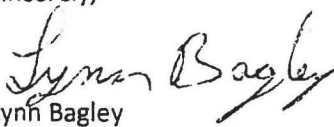
	Days above 80 degrees	Days at or below Freezing	Precipitation
Driggs Airport	14 of 23 days of data collected	2	0.00
Tetonia Experiment Station	8 of 15 days of data collected	2	0.00
Tetonia		8	0.00

The lower elevations near the Teton River, tributaries and the rural Victor and Tetonia areas had more days of frost than the Driggs and Tetonia Experiment Station sites. In addition, July 6 data indicated .07 inches of precipitation for Driggs; .08 for Tetonia Experiment Station. However, the rain received on July 6 cannot recover crops already damaged by drought and frost.

Crop yields for hay and grain are suffering due to the lack of precipitation (drought), high temperatures, frost, and insect damage. First crop dryland hay totals in fields that generally yield 2+ ton per acre are coming in at .22 - .25 ton per acre (source Driggs and Tetonia landowner data). Dry land barley and wheat are suffering also due to drought and frost. Some of the fields are turning brown and are only a few inches high. The full extent of damage to grain crops cannot be determined until later in the season. In addition, farmers / ranchers are seeing more infestations of crop damaging insects due to the stressed plants from drought and frost.

Thank you for considering a drought / frost emergency declaration for Teton County. If you have questions or need additional information, please contact me at (208) 313-7560.

Sincerely,

  
Lynn Bagley  
Chairman





## Board of County Commissioners

July 12, 2012

Governor C.L. "Butch" Otter  
Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

Dear Governor Otter,

On behalf of the agricultural and ranching community in Teton County, the Board of County Commissioners are seeking a "Declaration of Drought & Frost Emergency" for Teton County for 2012. This emergency declaration is requested due to severe weather conditions, including but not limited to, lack of precipitation, early snow runoff peaking in May ( at least 30 days earlier than normal), high winds and extreme temperature swings between freezing in the early morning hours and above 80 degrees during the day for much of the month of June.

The first cutting of non-irrigated hay produced about 10% of average yields and the non-irrigated annual crops (barley & wheat) are severely stunted. Irrigators will probably experience an early end of their irrigation water, resulting in having to pay for additional water use.

Enclosed is data from our local Soil Conservation District, Natural Resources Conservation Office and the National Weather Service, documenting snow runoff dates, precipitation, frost and daily temperatures. We look forward to a prompt and affirmative response to our situation.

Sincerely,  
The Teton County Board of Commissioners

  
Kathryn Rinaldi, Chair

  
Bob Benedict

  
Kelly Park

Cc: Stephen Goodson, Assistant for Energy and Natural Resources  
Lynn Bagley, Teton Soil Conservation District

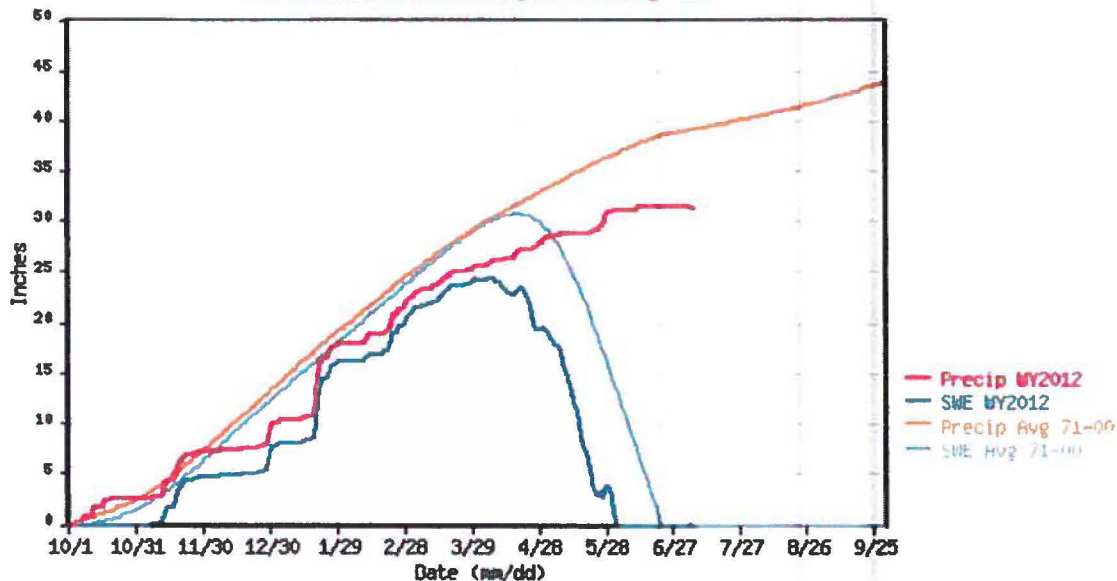
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## Water Year 2012 Graph for 10F23S SNOTEL in Wyoming

Phillips Bench

10F23S SNOTEL for Water Year 2012

\*\*\* Provisional Data, Subject to Change \*\*\*



The following Water Years are also available for this site:

all

[Redraw Graph](#)Select [Here](#) to show this year, last year, and averages data for comparison.Select [Here](#) to display all the available water year graphs for this site on one page.[Back to Top](#)[Site Map](#) | [Contact](#) | [Webmaster](#) | [NRCS](#) | [USDA](#) | [FirstGov](#)



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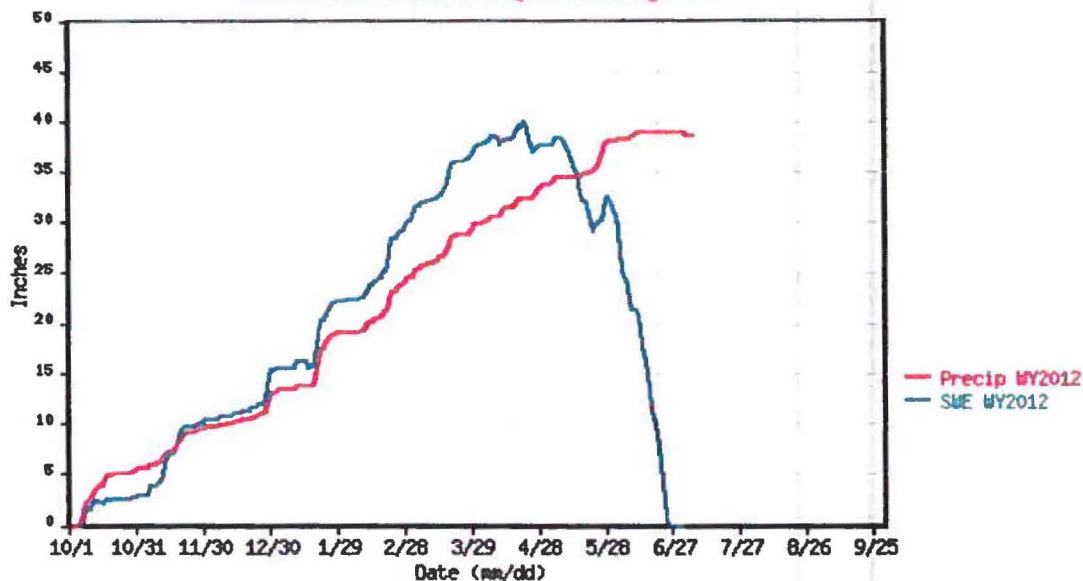
## Water Year 2012 Graph for 10F30s SNOTEL in Wyoming

Grand Targhee

Averages data for the requested site is unavailable.

## 10F30s SNOTEL for Water Year 2012

\*\*\* Provisional Data, Subject to Change \*\*\*



The following Water Years are also available for this site:

all.

[Redraw Graph](#)Select [Here](#) to show this year, last year, and averages data for comparison.Select [Here](#) to display all the available water year graphs for this site on one page.[Back to Top](#)[Site Map](#) | [Contact](#) | [Webmaster](#) | [NRCS](#) | [USDA](#) | [FirstGov](#)

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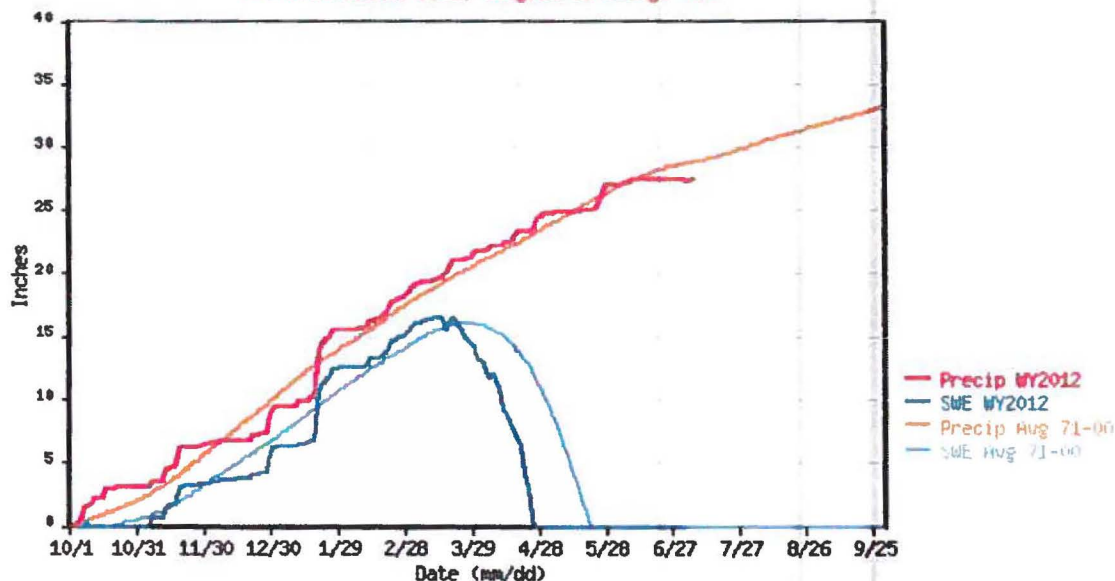
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## Water Year 2012 Graph for 11F02S SNOTEL in Idaho

Pine Creek

11F02S SNOTEL for Water Year 2012

\*\*\* Provisional Data, Subject to Change \*\*\*



The following Water Years are also available for this site:

all.

[Redraw Graph](#)Select [Here](#) to show this year, last year, and averages data for comparison.Select [Here](#) to display all the available water year graphs for this site on one page.[Back to Top](#)[Site Map](#) | [Contact](#) | [Webmaster](#) | [NRCS](#) | [USDA](#) | [FirstGov](#)



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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## MEMO

**To:** Gary Spackman

**From:** Tim Luke

**Date:** July 18, 2012

**Subject:** Hydrologic Data for Teton County

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This memo summarizes hydrologic conditions in the Teton River drainage and is prepared in response to a request for drought emergency declaration from the Teton County Commission dated July 12, 2012.

According to the USDA Drought Monitor, the southeastern and south central portion of Idaho is affected by abnormally dry conditions. The first image below shows that Teton County is within that area of the state currently experiencing abnormally dry conditions.

Teton County is located within the Teton River basin. There are two Snotel snow course sites within the Teton River drainage. Figure 2 shows accumulated 2012 water year snow water equivalent and precipitation levels for the Pine Creek Pass Snotel site. Although accumulated water year precipitation and snow water equivalent levels have been at or near average, the graph clearly illustrates that the snow pack melted off about a month earlier than normal. Figure 3 shows that the accumulated 2012 water year snow water equivalent level for the Grand Targhee Snotel site has been below average and the snowpack melted out about a month early. The Teton River basin wide snow pack was about 84 percent of average in April but only 53 percent of average in May.

Current stream flows and levels within the Teton River drainage further indicate reduced water supply in response to the early melt out, recent high temperatures and dry conditions. Discharge of the Teton River near Driggs as of July 18, 2012 is about 250 cfs, which is about 65 percent of normal or 245 cfs below average for this date. This current discharge level is also about one month ahead of the normal discharge rate. Additionally, June precipitation at Driggs was only 23 percent of average while daily high temperatures have been up to 10 to 11 degrees above normal during July. Water supply in Teton County will likely be stretched for the remaining irrigation season due to the early snow melt out, reduced stream flow levels, and lack of storage water facilities in the area.



# U.S. Drought Monitor

## Idaho

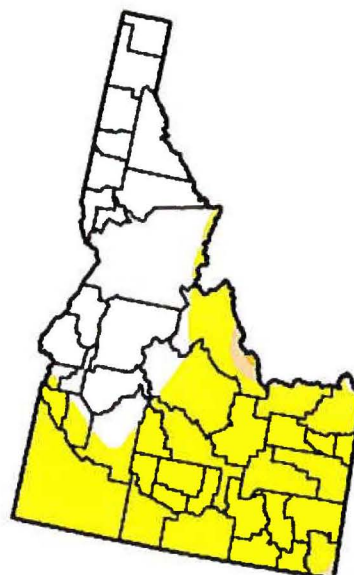
July 10, 2012

Valid 7 a.m. EST

	Drought Conditions (Percent Area)					
	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	40.51	59.49	1.19	0.18	0.00	0.00
Last Week (07/03/2012 map)	52.57	47.43	1.05	0.18	0.00	0.00
3 Months Ago (04/10/2012 map)	94.71	5.29	0.00	0.00	0.00	0.00
Start of Calendar Year (12/27/2011 map)	48.90	51.10	0.00	0.00	0.00	0.00
Start of Water Year (09/27/2011 map)	86.56	13.44	0.00	0.00	0.00	0.00
One Year Ago (07/05/2011 map)	100.00	0.00	0.00	0.00	0.00	0.00

### Intensity:

 D0 Abnormally Dry	 D3 Drought - Extreme
 D1 Drought - Moderate	 D4 Drought - Exceptional
 D2 Drought - Severe	



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

<http://droughtmonitor.unl.edu>



Released Thursday, July 12, 2012

Rich Tinker, Climate Prediction Center/NCEP/NWS/NOAA

Figure 1

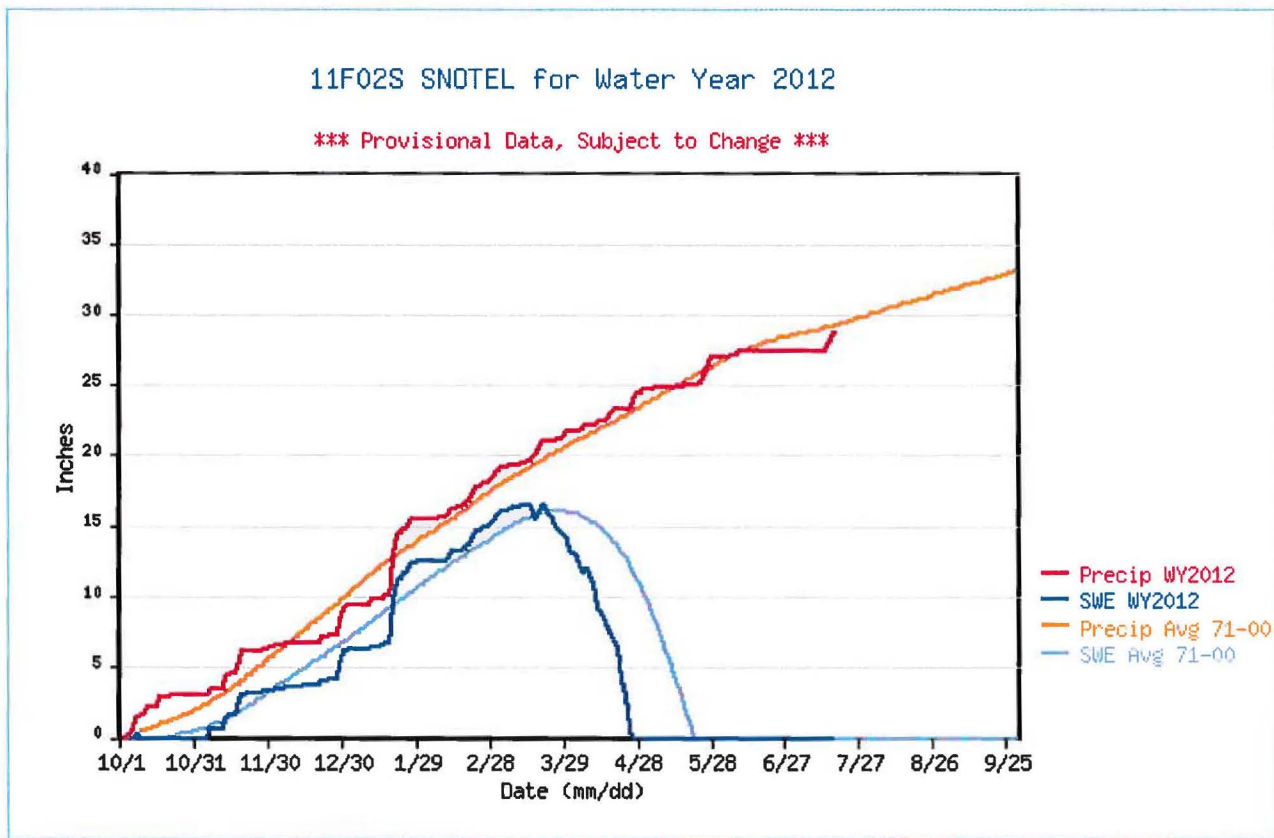


Figure 2. Pine Creek Pass Snotel Site for Water Year 2012

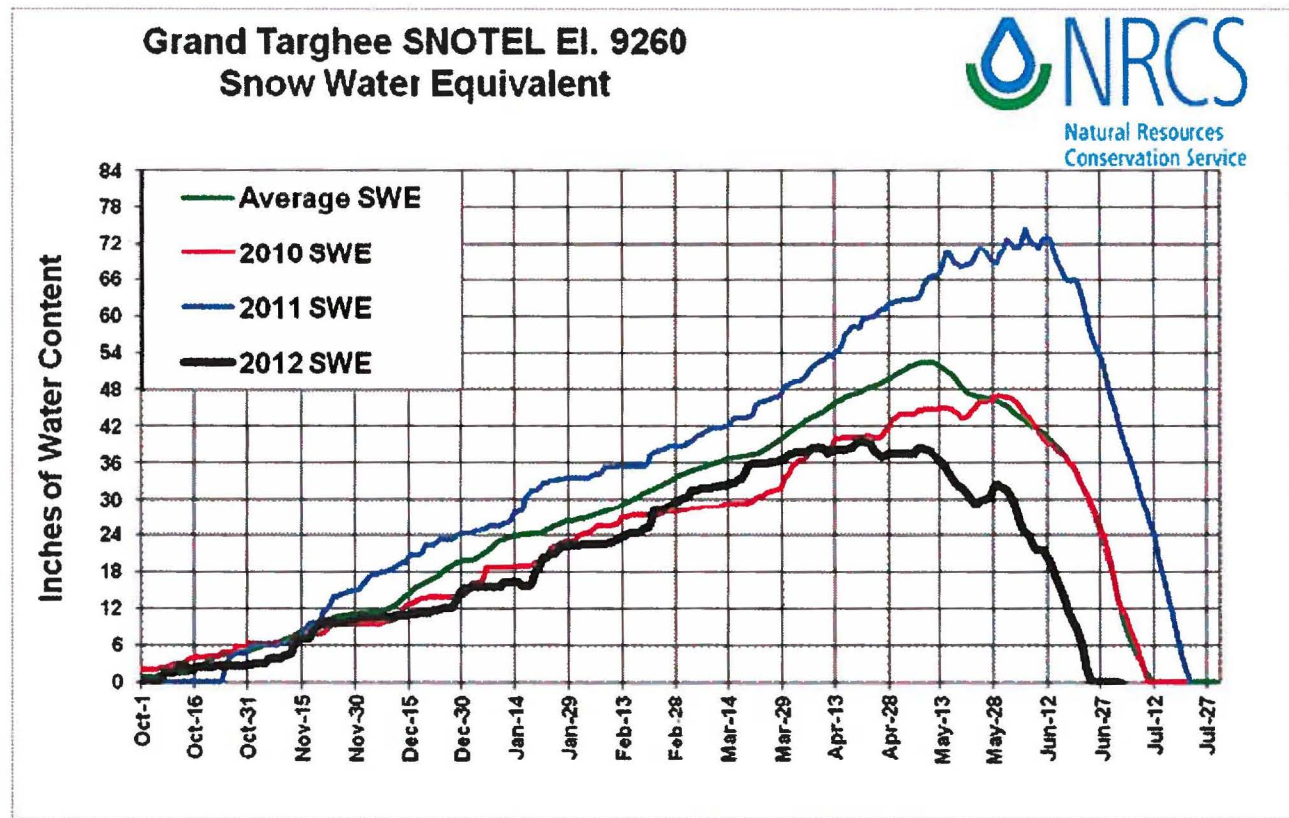


Figure 3. Grand Targhee Snotel Site for Water Year 2012