

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

IN THE MATTER OF A DECLARATION)
OF DROUGHT EMERGENCY FOR)
TETON COUNTY)
_____)

**ORDER DECLARING
DROUGHT EMERGENCY**

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, the snow water equivalent (SWE) level for the Teton River drainage was about 55 percent of normal as of early June, 2015; and

WHEREAS, June through September stream flow volumes for the Teton River at Driggs and St. Anthony are forecasted to be 60 and 64 percent of average respectively; and

WHEREAS, the United States Drought Monitor Index shows Teton County included within that portion of Eastern Idaho classified as abnormally dry; and

WHEREAS, there are little or no water storage facilities within Teton County and water users rely almost solely on natural stream flow supplies, and given that drier than normal conditions within Teton County may result in tighter water supplies; 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, 2015, 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, 2015, unless extended or terminated by order of the Director.

DATED this 5th day of June, 2015.


GARY SPACKMAN
Director

APPROVED this 6th day of June, 2015.


C. L. "BUTCH" OTTER
Governor



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JUN 01 2015

DEPARTMENT OF
WATER RESOURCES

Board of County Commissioners

May 26, 2015

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

Dear Governor Otter,

On behalf of the Teton County Board of Commissioners and the entire community of Teton Valley, I am seeking a "Declaration of Drought Emergency" for Teton County for 2015. This declaration is requested due to the drought conditions created by the lack of precipitation during the past 12 months.

Documentation from our local Soil Conservation District, Natural Resources Conservation Office and our area Agricultural Extension Office are all attached.

We appreciate your prompt and affirmative consideration in this matter.

Sincerely,

Bill Leake, Chairman

University of Idaho

Extension

College of Agriculture
Teton County
235 S. 5th E.
Driggs, ID 83422
Phone: (208) 354-2961
FAX: (208) 354-3516

May 22, 2015

Dear Teton County Commissioners:

I am writing to encourage the Board of County Commissioners to consider pursuing a Declaration of Drought Emergency. This will allow administrative actions to reduce the impacts of drought conditions on Teton County farmers. Please consider the following points:

- USDA, NRCS surveys for the Teton Basin area report year-to-date precipitation at 89% of normal, and the snow water equivalent at 65% of normal as of May 22, 2015.
- The U.S. Drought Monitor, as of May 19, 2015, shows Teton County rated in the "abnormally dry" category.
- The National Weather Service Climate Prediction Center, in their May 21, 2015, U.S. Seasonal Drought Outlook for May 21 – August 31, indicates that Teton County is not in a drought situation and is bordering areas where drought removal is likely.
- The National Weather Service Climate Prediction Center, in their May 21, 2015, One-Month Precipitation Outlook forecasts above normal precipitation in June.

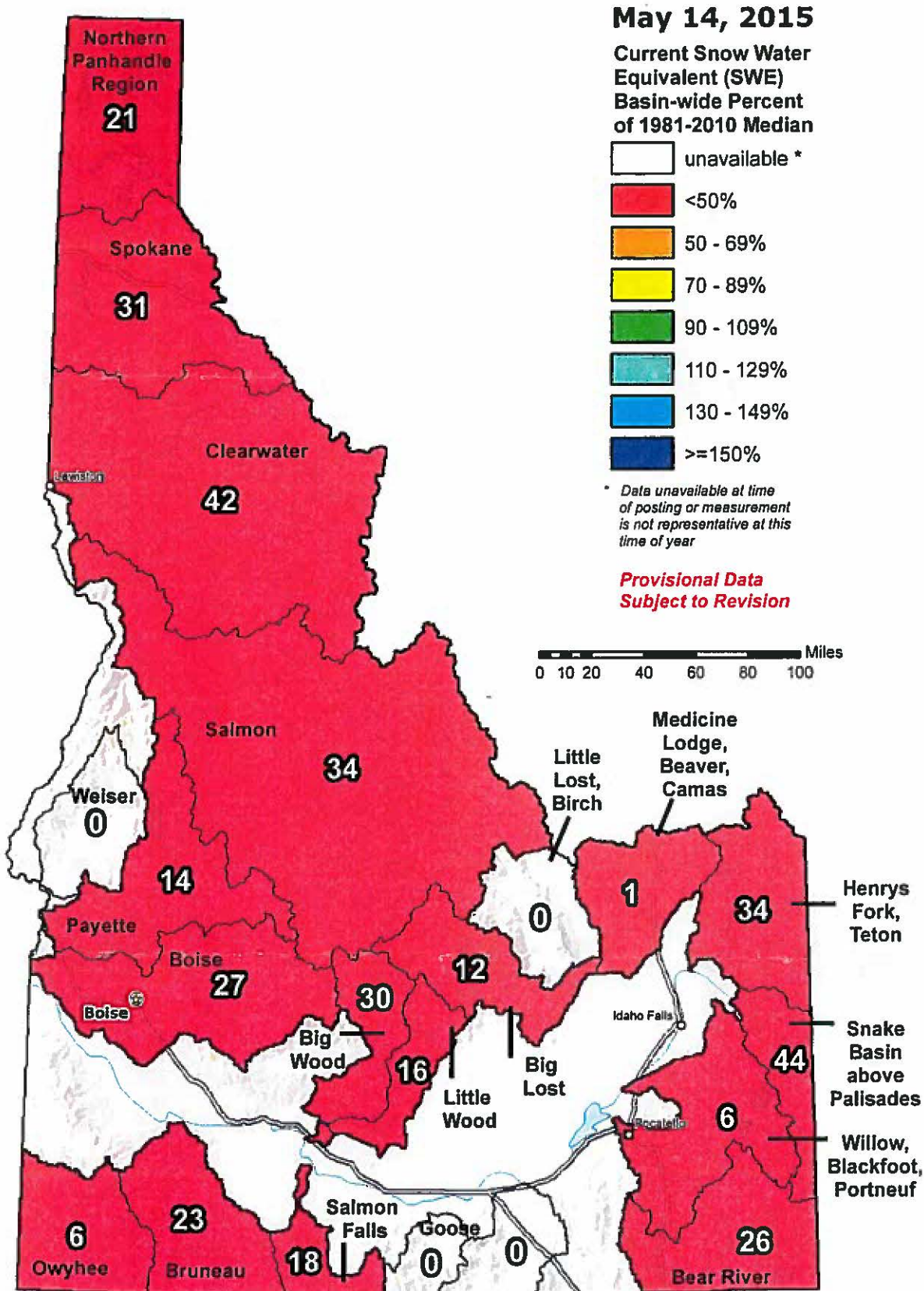
The snowpack situation for the Teton Basin currently looks pretty bleak; however, I acknowledge the fact that we have received some excellent rainfall in May. Mother Nature is unpredictable, especially in high mountain valleys, and snowpack is what farmers typically rely on for summer irrigation. Thank you for your consideration in this matter.

Sincerely,

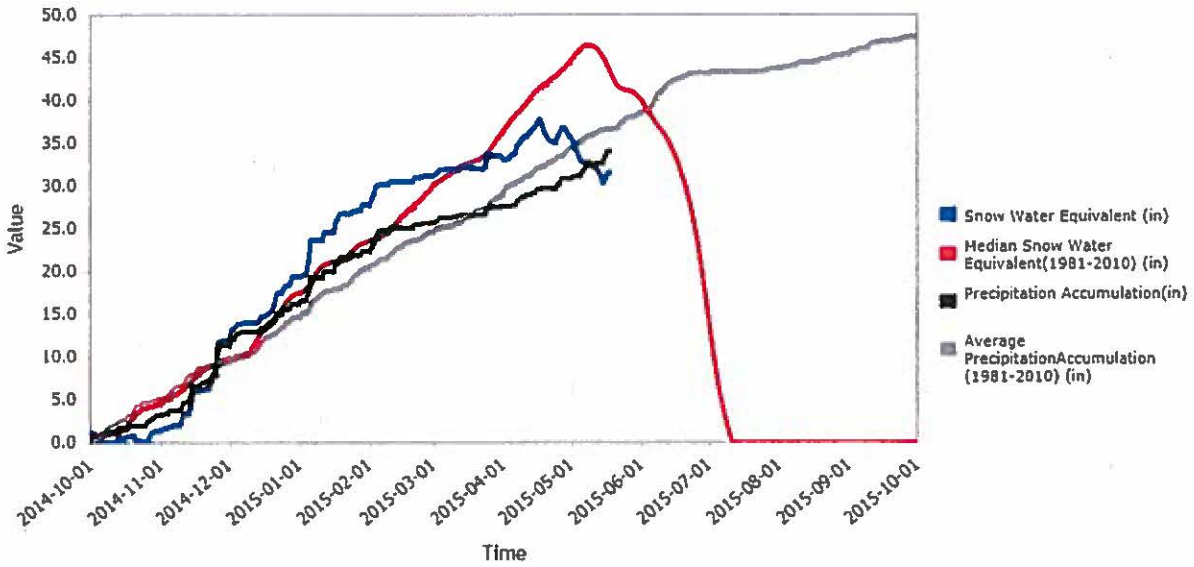


Ben Eborn
Teton County Extension Educator

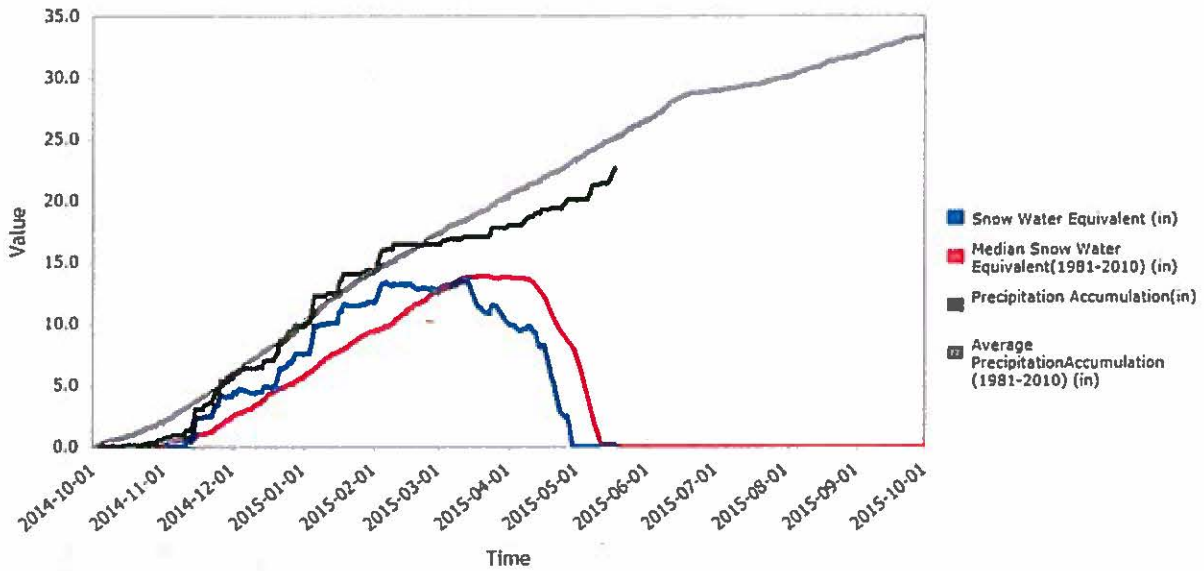
Idaho SNOTEL Current Snow Water Equivalent (SWE) % of Normal



Grand Targhee (1082) Wyoming SNOTEL Site - 9260 ft



Pine Creek Pass (695) Idaho SNOTEL Site - 6720 ft



Phillips Bench (689) Wyoming SNOTEL Site - 8200 ft

