

37-21114 was originally claimed at;

1.06 cfs & 40 ac

Permit 37-8821 was eventually approved for 0.60 cfs & 23 ac to be mitigated by a portion of 37-21114 (change not reflected until recommendation)

Permit 37-21177 was eventually approved for 0.08 cfs & 2 ac within a 7 ac PPU. 37-21177 was modified (amended without signature) to reflect 0.08 cfs mitigation and a 38 ac P/U.

Recommendation = $\text{irr } .38 \text{ cfs}$
 $\text{mitigation } .68 \text{ cfs}$
 $\text{P/U should be } 15 \text{ ac}$

	1.06 cfs	40 ac	
- 8821	.60 cfs	23 ac	
balance	.46 cfs	17 ac	} .68 cfs mitigation
21177	.08 cfs	2 ac	
	.38 cfs (irr)	15 ac	

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Hiawatha Ditch with liner BY: adm DATE: 04/18/08
Before moving Cutter to Dry Lot

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)	DELIVERY LOSS MINUS HIAWATHA RIGHTS FOR LOSS
Decree	900	24.0	20.80	2.73	0.00	22.72	0.1201	0.00	30.27	0.00
1	1910	18.0	3.00	1.30	2.88	22.72	0.0574	0.51	27.54	0.13
2	450	18.0	3.00	0.31	0.04	19.84	0.0155	0.01	23.36	0.00
3	480	18.0	3.00	0.33	0.02	19.80	0.0165	0.00	23.01	0.00
4	430	18.0	3.00	0.29	0.02	19.78	0.0148	0.00	22.66	0.00
5	1770	15.0	0.00	0.00	2.02	19.76	0.0000	0.45	22.35	0.12
5	730	15.0	0.00	0.00	1.45	17.74	0.0000	0.33	20.33	0.08
7	490	15.0	0.00	0.00	0.05	16.29	0.0000	0.01	18.88	0.00
8	1820	15.0	0.00	0.00	0.00	16.24	0.0000	0.00	18.83	0.00
9	1470	15.0	1.50	0.42	0.62	16.24	0.0257	0.15	18.83	0.04
10	4500	14.0	1.28	1.02	0.24	15.62	0.0652	0.08	17.79	0.02
11	680	12.0	1.00	0.10	2.17	15.38	0.0067	0.70	16.54	0.18
12	970	12.0	1.00	0.15	0.04	13.21	0.0111	0.01	14.26	0.00
13	350	12.0	1.00	0.05	0.13	13.17	0.0040	0.05	14.08	0.01
14	440	12.0	1.00	0.07	0.66	13.04	0.0051	0.23	13.89	0.06
15	1860	12.0	1.00	0.28	1.44	12.37	0.0228	0.53	13.16	0.14
16	530	12.0	1.00	0.08	0.82	10.93	0.0073	0.31	11.44	0.08
17	490	12.0	1.00	0.07	0.68	10.11	0.0073	0.26	10.54	0.07
18	460	12.0	1.00	0.07	4.00	9.43	0.0074	1.55	9.78	0.40
19	820	10.0	1.00	0.10	0.82	5.43	0.0191	0.33	5.71	0.09
20	650	7.0	0.66	0.04	1.55	4.61	0.0082	0.64	4.78	0.17
21	1260	4.0	0.66	0.04	0.20	3.06	0.0137	0.09	3.20	0.02
22	2900	4.0	0.66	0.10	2.86	2.86	0.0338	1.32	2.95	0.34
TOTALS	26360			7.55	22.72		0.3419	7.55		1.95

REACH = SECTION OF CHANNEL

L_r H = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

Mail backup\ 37-577B Hiawatha canal etal

Fm Allen Merritt FW: Hiawatha spreadsheets revised Thu 8/21/2008 5:00 pm

ADM - Hiawatha Canal Analysis 2008 before.xls

WRD ① Compile QQ list
for ditch
② Late Claims dis
against
WR ③ Inva Conv Loss shd
H ④ Provide rts &
Q for sys.



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21433 V1

WATER RIGHT NUMBER: 37-21433 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Current Owner	BLAINE COUNTY SCHOOL DISTRICT #61 118 W BULLION ST HAILEY, ID 83333 (208)578-5000

Priority Date: 10/28/1969

Basis: License

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.190 CFS	37.10 AF
<u>Total Diversion:</u>		0.190 CFS	36.10 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 10, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	10																	10.6
																		10.6	

Total Acres: 10.6

Conditions of Approval:

1. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.
2. P01 No lawful appropriation shown.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21433 V1

Remarks:Comments:

1. Vmusic 12/22/2006 DISALLOWAL CONDITION

Comment: USED NO LAWFUL APPROPRIATION BECAUSE ENLARGEMENT OF SEASON OF USE AND AF WOULD UNLAWFULLY ENLARGE THE QUANTITY ELEMENT UNDER 42-1426. HOWEVER, NO B/U FOUND COULD BE USED.

2. Vmusic 12/22/2006 BASIS FOR DISALLOWAL

Comment: THIS CLAIM IS FOR THE ENLARGEMENT OF THE SEASON OF USE AND AF HEADGATE REQUIREMENT OF LICENSED SPLIT 37-20903 [SPLIT FROM 37-2741]. CLAIM STATES PRIORITY DATE CLAIMED OF 10/28/1969 IS DAY AFTER PRIORITY DATE OF LICENSE 37-2741. HOWEVER LICENSED P DATE IS 7/21/1966. REASONS FOR DISALLOWAL: [1] BENEFICIAL USE COULD NOT DATE FROM P DATE CLAIMED BECAUSE SEASON OF USE AND HEADGATE STANDARDS HAD NOT YET BEEN CHANGED TO THOSE CLAIMED. [2] CHANGES SOUGHT WOULD UNLAWFULLY ENLARGE THE QUANTITY ELEMENT OF THE ORIGINAL RIGHT WHICH CANNOT BE DONE UNDER 42-1426. [3] A CONDITION OF 37-20903 IS THE SHOULDER REMARK ALLOWING IRRIGATION DURING THE STANDARD SOUGHT BY THIS CLAIM. TO ALLOW THIS CLAIM WOULD BE INCONSISTENT WITH IDWR POLICY RE SHOULDER REMARKS TO ALLOW IRRIGATION DURING CURRENT SEASON.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/22/2006 11:51:03 AM	Vmusic			Disallowed
Priority Date	12/22/2006 11:51:22 AM	Vmusic			Disallowed
POD	12/22/2006 11:51:36 AM	Vmusic			Disallowed
Source	12/22/2006 11:51:52 AM	Vmusic			Disallowed
POU	12/22/2006 11:52:04 AM	Vmusic			Disallowed
Use	12/22/2006 11:53:50 AM	Vmusic			Disallowed
Season	12/22/2006 11:54:16 AM	Vmusic			Disallowed
Quantity	12/22/2006 11:54:38 AM	Vmusic			Disallowed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21433 V1

Summary

12/22/2006

Vmusic

Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/3/2006 4:59:21 PM	CFRITSCH	Bulk Copy
Contacts	12/22/2006 11:51:04 AM	Vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
General	12/22/2006 11:51:22 AM	Vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/22/2006 11:51:37 AM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	12/22/2006 11:51:52 AM	Vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/22/2006 11:52:04 AM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	12/22/2006 11:53:51 AM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21433 V1

Season	12/22/2006 11:54:16 AM	Vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/22/2006 11:54:39 AM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	12/22/2006 11:57:44 AM	Vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

SubCase:

SubCase Number: 37-21433
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: Vmusic
 Basis of Claim: License
 Date Filed: 6/21/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21114 V1

WATER RIGHT NUMBER: 37-21114 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PACESETTER DEVELOPMENT CO 4540 CAMPUS DR NEWPORT BEACH, CA 92660 (714)852-8600
Current Owner	BLAINE COUNTY SCHOOL DISTRICT #61 118 W BULLION ST HAILEY, ID 83333 (208)578-5000
Original Owner	MARATHON PARTNERS C/O EDMUND E DUMKE PO BOX 3118 KETCHUM, ID 83340 (208)726-2600
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15	to 10/31	0.380 CFS	
MITIGATION	04/15	to 10/31	0.680 CFS	
	<u>Total Diversion:</u>		1.060 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	NE1/4SE1/4SE1/4	Sec. 22, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	10																	13.0

Total Acres: 13

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21114 V1

MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	18E	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X		X							

Conditions of Approval:

1. The portion of Right 37-21114 (portion of water right no. 37-0577) used for mitigation purposes shall be listed as a consumptive right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 (portion of water right no. 37-0577) shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered delivered, or on, when the pump for permit 37-21177 is in use.
2. The portion of this right committed to mitigation for the diversion of water right 37-21177 is 0.08 cfs. This portion of the right shall be managed as a surface water diversion, and the pump for right 37-21177 shall be the regulating structure for management. When the pump is on, the portion of this right mitigating for water right 37-21177 shall be considered as a constant diversion from the Big Wood River.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. The point of diversion for the 0.08 cfs of this right committed to mitigation for right 27-21177 shall be the location on the Big Wood River within the NESESE, Section 22, Twp. 2N, Rge. 18E, B.M., which is the point on the river closest to the point of diversion for right 37-21177.
5. 193 This right mitigates for the depletion of water resulting from the diversion and use of water under Rights 37-8821 and 37-21114. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.68 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Rights 37-8821 and 37-21114. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Rights 37-8821 and 37-21114 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

Remarks:Comments:

1. kchrste 2/16/2007 chg in pou

Comment: changed the shape and pou to reflect the mitigation and irrigation shapes.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21114 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			01/06/2007	skeen	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/7/2007 8:07:37 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168
POD	2/7/2007 8:07:46 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168
POD	2/7/2007 8:07:57 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168
POD	1/6/2007 9:33:58 AM	skeen	Updated shape from PLS
POU	2/16/2007 10:22:54 AM	kchriste	Updated shape for Active POU
POU	2/16/2007 10:54:25 AM	kchriste	Updated shape for Active POU
POD	10/17/2006 11:55:37 AM	ENORQUES	Updated shape from PLS
POD	2/7/2007 8:07:41 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168
POD	2/7/2007 8:08:10 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168
POU	2/16/2007 10:21:51 AM	kchriste	Updated shape for Active POU
POU	2/16/2007 10:22:09 AM	kchriste	Updated PLS for Active POU
POU	2/16/2007 10:53:15 AM	kchriste	Updated shape for Active POU
POD	2/7/2007 8:07:52 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168
POD	2/7/2007 8:08:06 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21114 V1

POD	1/6/2007 9:30:42 AM	skeen	Updated shape
POU	1/6/2007 11:10:25 AM	skeen	Updated shape for Active POU
Summary	1/6/2007 10:59:48 AM	skeen	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	1/6/2007 11:04:45 AM	skeen	Updated shape for Active POU
POU	10/19/2006 11:01:21 AM	ENORQUES	Updated shape from PLS
POU	2/16/2007 10:53:33 AM	kchriste	Updated PLS for Active POU
POD	2/7/2007 8:08:01 AM	manders	Correlated PODID 697748 from SpatialDataID 383908 to SpatialDataID 383168

SubCase:

SubCase Number: 37-21114

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: skeen

Basis of Claim: Decreed

Date Filed: 12/28/2007 Objection Status: Active

Date Filed: 12/21/2007 Objection Status: Active

Date Filed: 1/11/2008 Objection Status: Active

Date Filed: 1/4/2008 Objection Status: Active

Date Filed: 6/21/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21114

NAME AND ADDRESS: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

The portion of this right committed to mitigation for the diversion of water right 37-21177 is 0.08 cfs. This portion of the right shall be managed as a surface water diversion, and the pump for right ~~37-21114~~ 37-21177 shall be the regulating structure for management. When the pump is on, the portion of this right mitigating for water right 37-21177 shall be considered as a constant diversion from the Big Wood River.

QUANTITY: 1.060 CFS

This right mitigates for the depletion of water resulting from the diversion and use of water under Rights 37-8821 and ~~37-21114~~ 37-21177. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.68 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Rights 37-8821 and ~~37-21114~~ 37-21177. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Rights 37-8821 and ~~37-21114~~ 37-21177 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S22 NESESE Within BLAINE County
T03N R18E S20 SWNW Within BLAINE County

The point of diversion for the 0.08 cfs of this right committed to mitigation for right 27-21177 shall be the location on the Big Wood River within the NESESE, Section 22, Twp. 2N, Rge. 18E, B.M., which is the point on the river closest to the point of diversion for right 37-21177.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.380 CFS
MITIGATION	04/15 10/31	0.680 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S10	SENW	~~7-7~~ <u>7.80</u>	T02N R18E S10	NESW	~~5-3~~ <u>7.20</u>
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MITIGATION in BLAINE County

T02N R18E S10	SENW	T02N R18E S10	NESW
---------------	------	---------------	------

15 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The portion of Right 37-21114 (portion of water right no. 37-0577) used for mitigation purposes shall be listed as a consumptive right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 (portion of water right no. 37-0577) shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered delivered, or on, when the pump for permit 37-21177 is in use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/16/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21114

NAME AND ADDRESS: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

The portion of this right committed to mitigation for the diversion of water right 37-21177 is 0.08 cfs. This portion of the right shall be managed as a surface water diversion, and the pump for right 37-21177 shall be the regulating structure for management. When the pump is on, the portion of this right mitigating for water right 37-21177 shall be considered as a constant diversion from the Big Wood River.

QUANTITY: 1.060 CFS

This right mitigates for the depletion of water resulting from the diversion and use of water under Rights 37-8821 and 37-21114. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.68 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Rights 37-8821 and 37-21114. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Rights 37-8821 and 37-21114 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S22 NESESE Within BLAINE County

T03N R18E S20 SWNW Within BLAINE County

The point of diversion for the 0.08 cfs of this right committed to mitigation for right 27-21177 shall be the location on the Big Wood River within the NESESE, Section 22, Twp. 2N, Rge. 18E, B.M., which is the point on the river closest to the point of diversion for right 37-21177.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.380 CFS
MITIGATION	04/15 10/31	0.680 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S10	SENW	7.70	T02N R18E S10	NESW	5.30
---------------	------	------	---------------	------	------

MITIGATION in BLAINE County

T02N R18E S10	SENW		T02N R18E S10	NESW	
---------------	------	--	---------------	------	--

13 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

02/16/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The portion of Right 37-21114 (portion of water right no. 37-0577) used for mitigation purposes shall be listed as a consumptive right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 (portion of water right no. 37-0577) shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered delivered, or on, when the pump for permit 37-21177 is in use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/06/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21114

NAME AND ADDRESS: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

The portion of this right committed to mitigation for the diversion of water right 37-21177 is 0.08 cfs. This portion of the right shall be managed as a surface water diversion, and the pump for right 37-21177 shall be the regulating structure for management. When the pump is on, the portion of this right mitigating for water right 37-21177 shall be considered as a constant diversion from the Big Wood River.

QUANTITY: 1.060 CFS

This right mitigates for the depletion of water resulting from the diversion and use of water under Rights 37-8821 and 37-21114. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.68 cfs of this right, which shall remain undiverted in the Big Wood River.

If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Rights 37-8821 and 37-21114. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Rights 37-8821 and 37-21114 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T02N R18E S22 NESESE Within BLAINE County
T03N R18E S20 SESWNW Within BLAINE County

The point of diversion for the 0.08 cfs of this right committed to mitigation for right 27-21177 shall be the location on the Big Wood River within the NESESE, Section 22, Twp. 2N, Rge. 18E, B.M., which is the point on the river closest to the point of diversion for right 37-21177.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.380 CFS
MITIGATION	04/15 10/31	0.680 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S10 NESW 15.00

MITIGATION in BLAINE County

T02N R18E S10 SENW T02N R18E S10 NESW

15 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

01/06/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT 37-21114 IS A PORTION OF 37-12818A WHICH IS CLAIMED TO BE A
PORTION OF 37-577. OTHER PORTIONS OF 37-12818A ARE 37-21112
THRU 37-21116.



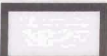
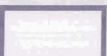
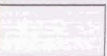
Idaho Department of Water Resources

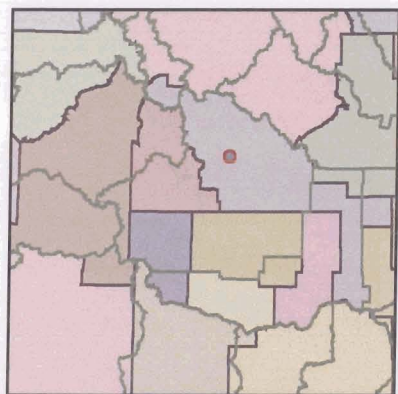
SRBA Recommendation:

37-21114

(Irrigation)

Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Saturday, January 6, 2007
2004 Aerial Photography

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-21177

Priority: November 17, 2003

Maximum Diversion Rate: 0.08 CFS

This is to certify, that BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/31	0.08 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp 02N, Rge 18E, B.M., BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	23				7.0													7.0

Total Acres: 7

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right is limited to the irrigation of 2 acres within the place of use described above in a single irrigation season.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
8. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 37-21177

9. In the event that Claim 37-21114 (portion of water right 37-0577) is not confirmed in the Snake River Basin Adjudication, the right holder shall provide an alternate source of mitigation water or shall cease diverting water under this right.
10. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right(s) will be changed to show that diversion and use of water is not authorized because the rights, or portion(s) thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate	Mitigation Volume	Mitigation Acres
37-21114	Irrigation	0.08 cfs		2

The land that will no longer be irrigated under this right is located within the SENW, Section 10, Twp. 2N, Rge. 18E, B.M.

If the specified mitigation rights, or portions thereof, are sold, transferred, leased, used on any other place of use, or are not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

11. The portion of Right 37-21114 (portion of water right no. 37-0577) committed to mitigation for the diversion of water right 37-21177 shall be managed as a surface water diversion, and the pump for permit 37-21177 shall be the regulating structure for management. When the pump is on, the mitigating portion of 37-21114 (portion of water right no. 37-0577) shall be considered as a constant diversion from the Big Wood River. The point of diversion for Right 37-21114 (portion of water right no. 37-0577) from the Big Wood River shall be changed from the point of diversion for the Hiawatha Canal in the SWNW, Section 20, Twp. 3N, Rge. 18E, B.M. to the location on the river closest to the point of diversion for permit 37-21177 determined to be within the NESESE, Section 22, Twp. 2N, Rge. 18E, B.M.
12. The portion of Right 37-21114 (portion of water right no. 37-0577) used for mitigation purposes shall be listed as a consumptive right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 (portion of water right no. 37-0577) shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered delivered, or on, when the pump for permit 37-21177 is in use.
13. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of July, 2005.


for KARL J DREHER, Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-21114

WATER RIGHT NUMBER: 37-21114

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PACESETTER DEVELOPMENT CO 4540 CAMPUS DR NEWPORT BEACH, CA 92660 (714)852-8600
Current Owner	BLAINE COUNTY SCHOOL DISTRICT #61 118 W BULLION ST HAILEY, ID 83333
Original Owner	MARATHON PARTNERS C/O EDMUND E DUMKE PO BOX 3118 KETCHUM, ID 83340 (208)726-2600

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.980 CFS	
MITIGATION	04/01 to 11/01	0.080 CFS	
	<u>Total Diversion:</u>	1.060 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION Within BLAINE County

T02N R18E S10	SE1/4	22.0	T02N R18E S10	SE1/4	16.0
---------------	-------	------	---------------	-------	------

Total Acres: 38

MITIGATION Within BLAINE County

T02N R18E S10	SE1/4
---------------	-------

Conditions of Approval:

1. RIGHT 37-21114 IS A PORTION OF 37-12818A WHICH IS CLAIMED TO BE A PORTION OF 37-577. OTHER PORTIONS OF 37-12818A ARE 37-21112 THRU 37-21116.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-21114

2. 6/9/2003: WATER RIGHT 37-21114 REPRESENTS SURFACE WATER IN BIG WOOD RIVER USED TO MITIGATE GROUND WATER LICENSE 37-8821. THE AMOUNT OF WATER DESCRIBED IN THIS RIGHT IS TO REMAIN NON-DIVERTED FROM THE BIG WOOD RIVER AND THE PLACE OF USE DESCRIBED IN THIS RIGHT DRIED UP. THE USE REMAINS LISTED AS IRRIGATION, AS A TRANSFER OF NATURE OF USE HAS NOT BEEN FILED AS OF THIS DATE. - VH
3. The claim was modified based upon the mitigation plan approved for permit 37-21177.

Remarks:

Comments:

1. kchris 7/19/2005 POU
Comment: Updated Shape

Water Supply Bank:

Comment Report

37-21177

1. jstanton 1/11/2005 4:27:40 PM Special Administration Area Notes

Comment: Special Administration Areas : Big Wood River GWMA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 1/11/2005 4:29:44 PM Additional Information Supporting Application

Comment: Residency affidavit for hydropower development: N/A

Additional hydropower project information: N/A

Additional fish propagation project information: N/A

Appropriation Rule 40.05.c information: N/A

Mitigation Plan or acceptance form: Attached

Evidence of Pre-1987 development: N/A

3. jstanton 1/11/2005 Comment/Analysis

Comment: This application proposes to divert groundwater from a new well to be drilled at the proposed Woodside Elementary School southeast of Hailey. The well will provide water irrigating the landscaping and ball fields around the school. The application was originally filed for 7 acres of irrigation using an 1883 Big Wood River right owned by the applicant as mitigation, with the understanding that this rights is sometimes cut off by the watermaster in late summer due to drought conditons. The application has been held for some time while the mitigation plan was reviewed by Shelley Keen, but Shelley has no given authorization for the application to be advertised.

The applicant has since obtained a groundwater right from land southwest of Hailey that will no longer be irrigated due to the development of a subdivision there. A transfer has been filed for 5 acres of irrigation at the school, leaving only 2 acres that they will have to mitigate for. Reducing the application depends on approval of the transfer, so I suggest that we not change anything at this time; any reduction should occur in Boise at the end of the approval process. If the acreage is reduced, the diversion rate should be reduced to the same per/acre rate as the pending transfer.

As long as the mitigaton plan is acceptable, the application appears to be approvable.

Authority To File: The applicant has submitted a warranty deed showing their purchase of the proposed place of use, and they are already using some of the 1883 right for mitigation at the new high school under an approved water permit.

Water Right Validity: It appears that the mitigation right has been determined to be valid by IDWR.

Injury To Other Rights: There should be none with proper mitigation.

Enlargement of Use: None requested. The application should be conditioned to limit the amount supported by the mitigation plan.

Local Public Interest: There is a great deal of public interest in developing a new school, and this application certainly supports that. It would not do for the kids to have to play on gravel or concrete because they could not get a right to irrigate the land around the school.

Beneficial Use/Conservation of Water Resources: No issues identified.

Review of the application finds that there is no clear inconsistency with criteria set forth in Sec. 42-222 I. C. preventing processing. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicant.

4. jstanton 1/12/2005 Legal Notice Remarks

Comment: This application proposes to provide irrigation water for the new Woodside Elementary School that is being built southeast of Hailey; a new well will be drilled to provide water for irrigating 7 acres of land around the school. To mitigate for the effects of the new appropriation, a portion of an 1883 Big Wood River water right owned by the applicant will be left un-diverted in the river. The School District has also acquired a 5-acre groundwater right that will be transferred to the same land at the school; if this transfer is approved, the amount of land irrigated under the new permit will be reduced to two acres. The new well will be located 1 3/8 miles south and 1 1/4 miles east of the curve on Hwy. 75 at the south end of Hailey.

5. ameritt 4/5/2005 recommendation

Comment: This application was processed in coordination with the state office. The application is based on a mitigation plan of not using a portion of right 37-21114. The application was advertised without protest. Recommend approval with mitigation conditions and modification of record for right 37-21114 noting use as mitigation for permit 37-21177. Note that SDE has been changed for permit layeer but draft approval sent by Stanton to Walker should be modified to include mitigation language as drafted by Keen in memos contained in file. Also note that a companion transfer 71677 is being processed and final approval of permit may be held to coordinate with transfer.

6. ameritt 6/1/2005 recommendation 2

Comment: Transfer 71677 and application for permit 37-21177 should be processed together. Both applications have been processed in parallel with state office staff.

Both applications have been advertised without protest. In total these two applications are intended to provide water for irrigation of a total of 7 acres around the Woodside Elementary School. Both rights are intended to be diverted from a common well. Transfer 71677 proposes to move 0.19 cfs for irrigation of 5 acres within the 7 acre PPU at the school. (This is a portion of right 37-11379 which covers a portion of the Stonecove Subdivision. The unchanged portion of this right remains at the subdivision and is intended to be subject to a future transfer.) Application 37-21177 was filed for the entire 7 acres at the school but in the schools consultant letter dated 12/21/2004 it indicates that if the transfer is approved the application could be reduced accordingly. The application for permit is proposed to be mitigated by non use of a portion of right 37-21114 (up to 0.18 cfs and 7 acres) currently decreed from the Big Wood River. A portion of this right (23 acres) is currently also used to mitigate licensed right 37-8821 used at the Wood River High School. I recommend approval with mitigation conditions and modification of record for right 37-21114 noting use as mitigation for permit 37-21177. Note that SDE has been changed for permit layer but draft approval sent by Stanton to Walker should be modified to include mitigation language as drafted by Keen in memos contained in file. NOTE that approval has been reduced to only 2 acres and the rate per acre made consistent with draft approval of transfer 71677 per the letter dated 6/3/05 from SPF. In total this permit and right 37-21409 shall provide 0.27 cfs for irrigation of 7 acres.

7. kwalker 6/16/2005 Permit review

Comment: This application falls within the ESRPA, Big Wood River GWMA and Trust Water area. In review of this application and the proposed recommendations I found I needed to add a couple of conditions to those recommended by region. I added conditions 140, 26A and R59 to the proposal to make it more consistent with other permits we have been issuing. Recommend approval as suggested by region with additions as described above.

8. kwalker 6/28/2005 Mitigation P/U

Comment: Through many phone messages with Christian Petrich it was determined that the mitigation place of use could be any 2 acres in SENW, S10, Twp. 2N, Rge. 18E. The land where right 37-21114 is located has been subdivided and it would not matter where we cut out the 2 acres. Christian would like to have a copy of the mitigation shape that is created for this 2 acre parcel when it has been finalized.

Cpetrich@spfwater.
com

RECEIVED
NOV 17 2003

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

ORIGINAL IN RED

1. Name of Applicant Blaine County School District No. 61 Phone 208-788-2296
Mailing address 118 W. Bullion Street, Hailey, ID 83333
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 2N Range 18E Sec. 23, in the _____
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., Blaine County; additional points
of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>0.14 cfs</u> for <u>irrigation</u> purposes from <u>4/15</u> to <u>10/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.14 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source one well with submersible pump;
buried pipe to sprinkler system
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW.
 - Stockwatering; list number and kind of livestock.
 - Municipal; show name of municipality. _____
 - Domestic; show number of households.
 - Other; describe fully. _____

SCANNED
NOV 18 2003

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	2E	23			7														7

Total number of acres to be irrigated 7

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: This application will be mitigated using a portion of Big Wood River water right 37-21114. See attached mitigation plan for details. Water will be used for irrigation of playgrounds and landscape at the Woodside Elementary School.

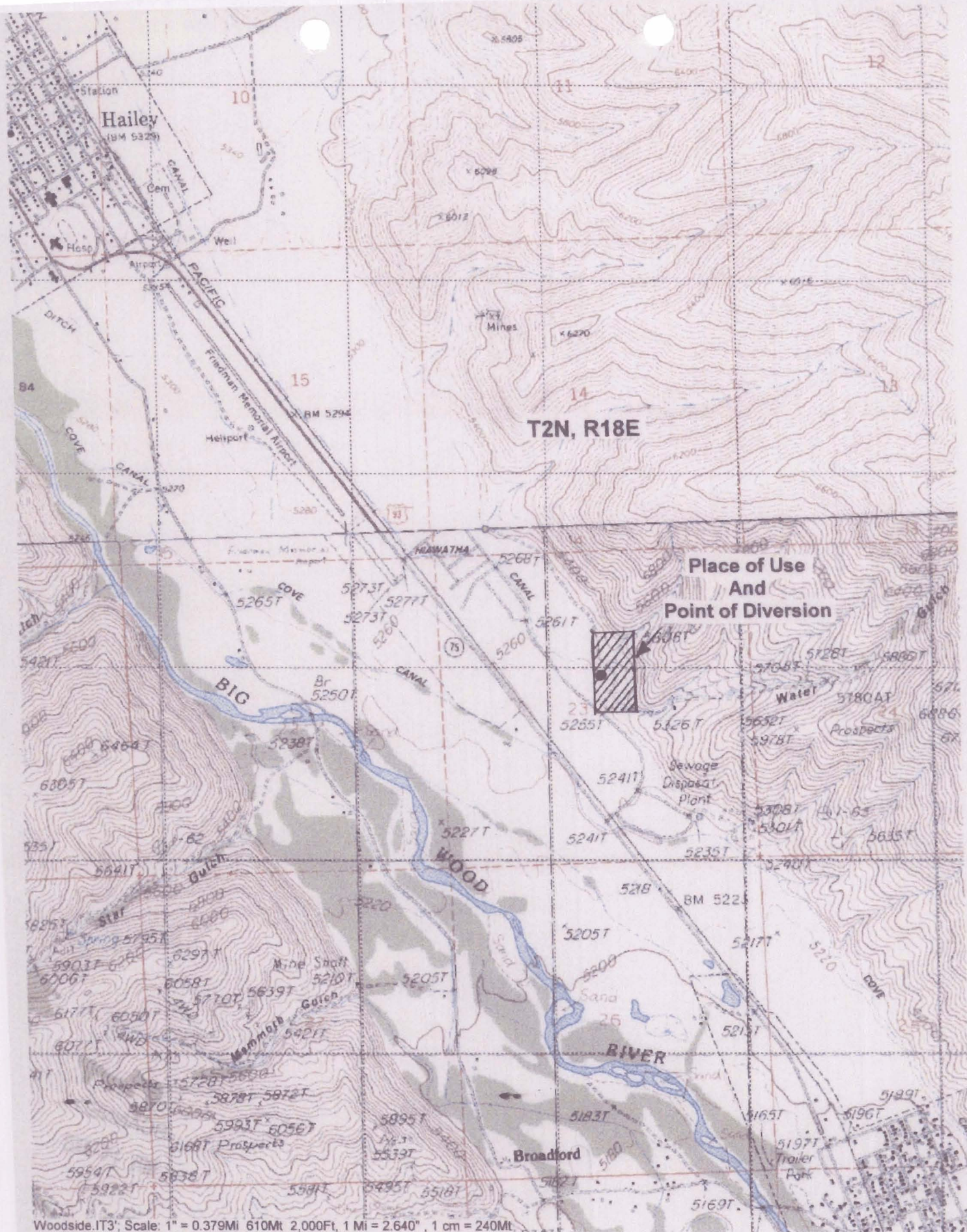
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Signature of Applicant (and title, if applicable) Superintendent

Received by JS Date 11-12-03 Time noon Preliminary check by JS
 Fee \$ 100. Receipted by JS # 5026230 Date _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

SCANNED
NOV 18 2003



**Proposed Mitigation Plan for Woodside Elementary School
Irrigation Water Right Permit Application – Blaine County School District No. 61
October 31, 2003 Proposal**

1. Woodside Elementary School is proposed for construction in 2004 and 2005. The school will be located $\frac{1}{4}$ mile east of Highway 75, approximately midway between Hailey and Bellevue.
2. Approximately 6.7 acres of proposed playground fields and landscape at the school will require irrigation.
3. The School District is applying for a new water right permit for irrigation of 7 acres from a groundwater source.
4. The School District owns Big Wood water right 37-21114, which authorizes diversion of 1.06 cfs for irrigation of 40 acres with a priority date of March 24, 1883. A 0.60 cfs portion of water right 37-21114 is already committed as mitigation for a permit for irrigation of 23 acres at Wood River High School from a ground water source.
5. The School District proposes to use a portion of water right 37-21114 to mitigate the hydrologic impacts of the proposed water right permit for irrigation of 7 acres at the school. The mitigation will be identical to the mitigation currently utilized for permit 37-8821 (Wood River High School), and described under condition No. 7 of that permit. These conditions, as proposed for this application, are listed below.
 - A. Diversion and use of water shall occur only at those times when water is available to fill Snake River Basin Adjudication Claim 37-21114 (a portion of Right 37-577).
 - B. The right holder shall maintain control of 0.18 cfs (7 acres) of Snake River Basin Adjudication Claim 37-21114 (or the decreed water right based on Claim 37-21114) which shall remain in the Big Wood River as mitigation for the diversion of ground water under this right.
 - C. In the event that Claim 37-21114 is not confirmed in the Snake River Basin Adjudication, the right holder shall provide an alternate source of mitigation water or shall cease diverting water under this right.

SCANNED
NOV 18 2003

Keen, Shelley

TO FILE 37-8821

From: Tuthill, Dave
Sent: Friday, July 22, 2005 1:53 PM
To: Shaff, Don; Keen, Shelley
Cc: Peppersack, Jeff
Subject: RE: Adjudication Claim 37-21114

I, too, agree with the direction in which you are heading, Shelley, requiring an amended claim but not a transfer. This technique provides a written claimant-approved basis for making our recommendation without requiring a transfer.

Dave

-----Original Message-----

From: Shaff, Don
Sent: Thursday, July 21, 2005 11:10 AM
To: Keen, Shelley; Tuthill, Dave
Cc: Peppersack, Jeff
Subject: RE: Adjudication Claim 37-21114

Yes, the claim could be amended and likely should be to assure the cumulative quantity to date is reflected in the recommendation of the right. However, I don't think overlooking the extent of mitigation coming from a given right diminishes the obligation of the mitigation contributor to the mitigation benefactor and to the State.

I, too, lean against a transfer for a right both as a matter of administrative efficiency and, out on a limb, legal requirement. The nature of use does not change per se. We make a change in the record for our tracking and administrative purposes. The right holder like 37-21114 could irrigate the sacrificed land, if the holder of the new right(s) operating only with mitigation water was not to use the water in a given year. I think this contributes to why we leave a POU polygon (shape) for the mitigation at the POU of the irrigation for the contributing right.

Don Shaff
(208)287-4921
don.shaff@idwr.idaho.gov

-----Original Message-----

From: Keen, Shelley
Sent: Wednesday, July 20, 2005 5:11 PM
To: Tuthill, Dave; Shaff, Don
Cc: Peppersack, Jeff
Subject: FW: Adjudication Claim 37-21114

Dave and Don,

See below for a question posed by Christian Petrich and for my response to him. Do you agree that Claim 37-21114 could be amended to show that an additional 0.60 cfs (and 23 acres) are dedicated to mitigation, or would a transfer be required because there was no other administrative process and because the "change" occurred after 1987? The approvals for Permit 37-21177 and 37-8821 are very similar, except that in one case we did not say we would change Claim 37-21114, and in the other case we did.

7/22/2005

As a related note, Jeff and Gary are drafting a memo that okays changing rights to show mitigation as a purpose without a transfer if the mitigation is accomplished by non-use of water (consisten with the change to 42-223), but the memo is not done yet. Jeff indicated that Karl didn't seem to have a problem with the concept in the past, and it has been employed several times now, with no public dissent, to my knowledge.

Shelley

-----Original Message-----

From: Keen, Shelley
Sent: Wednesday, July 20, 2005 4:58 PM
To: 'Christian Petrich'
Subject: RE: Adjudication Claim 37-21114

Christian,

A 0.08 cfs portion of Claim 37-21114 was changed to mitigation through the permit approval process for Permit 37-21177. Another 0.60 cfs of Claim 37-21114 is dedicated to mitigation for Right 37-8821, but it was not changed to mitigation because Right 37-8821 was established a few years ago, as our thinking about mitigation was evolving. Because we have taken the position at IDWR that a transfer is not required to change some of a right to mitigation if the mitigation is accomplished by non-use of water, then I think amending the SRBA claim should be sufficient to change the record. However, I want to be sure the Adjudication Bureau staff agree. Therefore, I will pursue the question a bit further and get a more definitive answer for you soon, I hope.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-287-4947
shelley.keen@idwr.idaho.gov

-----Original Message-----

From: Christian Petrich [mailto:CPetrich@spfwater.com]
Sent: Wednesday, July 20, 2005 9:39 AM
To: shelley.keen@idwr.idaho.gov
Subject: Adjudication Claim 37-21114

Shelley,

Adjudication Claim 37-21114 is being used for mitigation at Woodside School and the Hailey High School and Woodside Elementary School. There is a note in the Conditions for Approval that states "The use remains listed as irrigation, as a transfer of nature of use has not been filed as of this date – VH." Would you recommend that we file a transfer of nature of use at this time for the acres being used for mitigation, or wait until the adjudication is complete?

Regards,
Christian

Christian R. Petrich, Ph.D., P.E.
SPF Water Engineering, LLC
600 East River Park Lane, Suite 105
Boise, ID 83706
Tel: 208-383-4140

7/22/2005

Fax: 208-383-4156
Cell: 208-869-4569

SPF Project: 322.0010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 70522**

This is to certify that: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333
(208)788-2296

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 Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
37-2741	AJC/License	07/21/1966	2.20 cfs	372.0 af	N/A	124.0	GROUND WATER
37-8821	WR/License	05/24/1993	0.80 cfs	80.2 af	N/A	22.9	GROUND WATER

Purpose of Transfer (Changes Proposed)

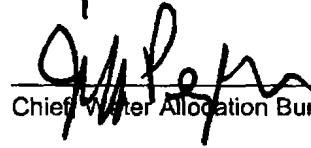
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2741	YES	NO	YES	YES	NO	NO
37-8821	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-2741	37-20903	0.19 cfs	31.8 af	10.6	33.5	37-20902	2.01 cfs	340.2 af	N/A	113.4
37-8821	37-8821	0.80 cfs	80.2 af	22.9	33.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.99 cfs	112.0 af	N/A	33.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7 day of July, 20 03

For  Chief Water Allocation Bureau

WATER RIGHT NO. 37-20902
As Modified by Transfer No. 70522

In accordance with the approval of Transfer No. 70522, Water Right No. 37-20902 is now described as follows.

Right Holder: QUIGLEY CANYON RANCH LLP
 C/O STONEY BURKE
 PO BOX 4999
 KETCHUM ID 83340

Priority Date: July 21, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.12 CFS	
IRRIGATION	06/01	to 10/01	2.01 CFS	340.2 AF
			2.01 CFS	340.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 10 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 10	24.0	4.0	37.0	28.0											16.4		109.4
02N 18E 11					1.0	3.0											4.0

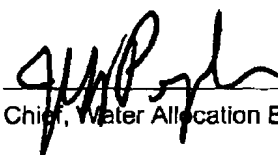
Total Acres: 113.4

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right 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.

Dated this 7 day of July, 20 03


 For, Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20903
As Modified by Transfer No. 70522

In accordance with the approval of Transfer No. 70522, Water Right No. 37-20903 is now described as follows.

Right Holder: BLAINE COUNTY SCHOOL DISTRICT #61
 118 W BULLION ST
 HAILEY ID 83333

Priority Date: July 21, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	06/01	10/01	0.19 CFS	31.8 AF
			0.19 CFS	31.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 10 Twp 02N Rge 18E BLAINE County

GROUND WATER NESWSE Sec. 10 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	10													.1	14.2	7.9		22.2
02N	18E	15	9.2	2.1															11.3

Total Acres: 33.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.6 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-8821 and 37-20903 shall not exceed 0.99 cfs, nor total combined annual volume of 112.0 af.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

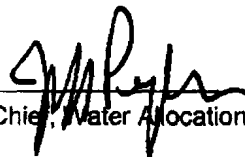
WATER RIGHT NO. 37-20903
As Modified by Transfer No. 70522

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall measure the diversion 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.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 6/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right 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.

Dated this 7 day of July, 20 03


for Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-8821
As Modified by Transfer No. 70522**

In accordance with the approval of Transfer No. 70522, Water Right No. 37-8821 is now described as follows.

Right Holder: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

Priority Date: May 24, 1993

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/31	0.80 CFS	80.2 AF
		0.80 CFS	80.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 10 Twp 02N Rge 18E BLAINE County

GROUND WATER NESWSE Sec. 10 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	10													.1	14.2	7.9		22.2
02N	18E	15	9.2	2.1															11.3

Total Acres: 33.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22.9 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-8821 and 37-20903 shall not exceed 0.99 cfs, nor total combined annual volume of 112.0 af.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of licensing, this water right is within State Water District No. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

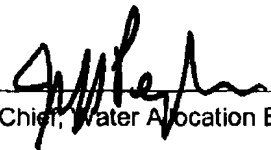
WATER RIGHT NO. 37-8821
As Modified by Transfer No. 70522

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall measure the diversion 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.
6. Use of water under this right may be affected by an agreement between the parties in connection with the original license.
7. The right holder shall mitigate for the diversion and use of water under this right in the following manner:
 - A. Diversion and use of water shall occur only at those times when water is available to fill Snake River Basin Adjudication Claim 37-21114 (a portion of Right 37-577).
 - B. The right holder shall maintain control of 0.60 cfs (23 acres) of Snake River Basin Adjudication Claim 37-21114 (or the decreed water right based on Claim 37-21114), which shall remain in the Big Wood River as mitigation for the diversion of ground water under this right.
 - C. In the event that Claim 37-21114 is not confirmed in the Snake River Basin Adjudication, the right holder shall provide an alternate source of mitigation water or shall cease diverting water under this right.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

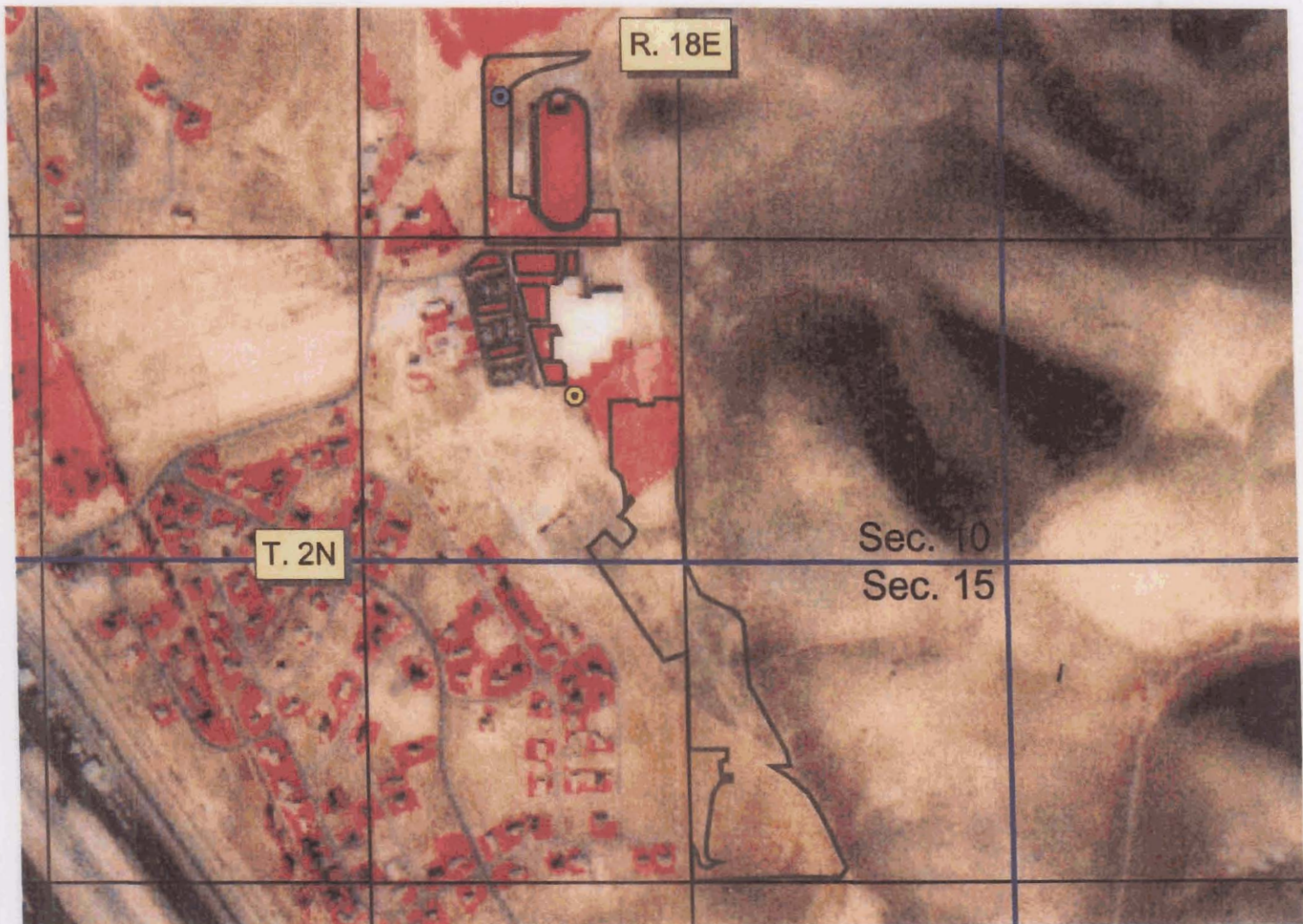
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7 day of July, 20 03


For Chief, Water Allocation Bureau

IDAHO DEPARTMENT OF WATER RESOURCES

Licensing Examination Data Recommended P/D & P/U - Permit 37-8821



Section Lines



Quarter/Quarter Lines

General Location: North, west & south of Hailey High School



Irrigation Well



Irrigated Land (Grass Sports Fields & Landscaping)



MICROFILMED
FEB 25 2003

Prepared By J E Stanton 1-30-2003 1986/87 NAPP Data

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-21177

Priority: November 17, 2003

Maximum Diversion Rate: 0.08 CFS

This is to certify, that BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/31	0.08 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp 02N, Rge 18E, B.M., BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	23				7.0													7.0
Total Acres: 7																			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right is limited to the irrigation of 2 acres within the place of use described above in a single irrigation season.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
8. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 37-21177

9. In the event that Claim 37-21114 (portion of water right 37-0577) is not confirmed in the Snake River Basin Adjudication, the right holder shall provide an alternate source of mitigation water or shall cease diverting water under this right.
10. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right(s) will be changed to show that diversion and use of water is not authorized because the rights, or portion(s) thereof, are being dedicated to mitigation purposes.

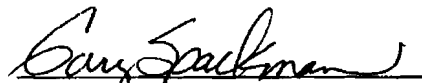
Right No.	Use Changed to Mitigation	Mitigation Rate	Mitigation Volume	Mitigation Acres
37-21114	Irrigation	0.08 cfs		2

The land that will no longer be irrigated under this right is located within the SENW, Section 10, Twp. 2N, Rge. 18E, B.M.

If the specified mitigation rights, or portions thereof, are sold, transferred, leased, used on any other place of use, or are not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

11. The portion of Right 37-21114 (portion of water right no. 37-0577) committed to mitigation for the diversion of water right 37-21177 shall be managed as a surface water diversion, and the pump for permit 37-21177 shall be the regulating structure for management. When the pump is on, the mitigating portion of 37-21114 (portion of water right no. 37-0577) shall be considered as a constant diversion from the Big Wood River. The point of diversion for Right 37-21114 (portion of water right no. 37-0577) from the Big Wood River shall be changed from the point of diversion for the Hiawatha Canal in the SWNW, Section 20, Twp. 3N, Rge. 18E, B.M. to the location on the river closest to the point of diversion for permit 37-21177 determined to be within the NESESE, Section 22, Twp. 2N, Rge. 18E, B.M.
12. The portion of Right 37-21114 (portion of water right no. 37-0577) used for mitigation purposes shall be listed as a consumptive right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 (portion of water right no. 37-0577) shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered delivered, or on, when the pump for permit 37-21177 is in use.
13. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of July, 2005.


for KARL J DREHER, Director

MEMORANDUM

DATE: January 11, 2005

TO: Jim Stanton

FROM: Shelley W. Keen

RE: Proposed approval conditions

Steve Burrell provided these revisions to the approval conditions proposed for the Blaine County School District application, 37-21177. Please add this memo to the file for later review.

The portion of Right 37-21114 committed to mitigation for the diversion of water under this right shall be managed as a surface water diversion, and the pump for permit 37-21177 shall be the regulating structure for management. When the pump is on, the mitigating portion of Right 37-21114 shall be considered as a constant diversion from the Big Wood River. The point of diversion for Right 37-21114 from the Big Wood River shall be changed from the point of diversion for the Hiawatha Canal in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T3N, R18E, B. M. to the location on the river closest to the point of diversion for permit 37-21177, <XX $\frac{1}{4}$ XX $\frac{1}{4}$, Section 00, Township 00 North, Range 00 East, B.M.>

To implement this mitigation requirement, IDWR should direct the watermaster in Water District 37 as follows:

The portion of Right 37-21114 used for mitigation purposes shall be listed as a "consumptive" right in the water district decree book for the Big Wood River above Magic Reservoir. The mitigating flow amount of Right 37-21114 shall be administered as a Big Wood River surface right, with the point of diversion considered as the location on the river closest to the point of diversion for permit 37-21177, as described in the permit. The right shall be considered "on" when the pump for permit 37-21177 is in use.

MEMORANDUM

DATE: January 7, 2005

TO: File for Application 37-21177

FROM: Shelley W. Keen ^{SWK}

RE: Mitigation

RECEIVED

JAN 11 2005

Department of Water Resources
Southern Region

I recommend advertising Application 37-21177, which was submitted by Blaine County School District No. 61 for the diversion of 0.14 cfs from ground water to irrigate seven acres at the new Woodside School between Hailey and Bellevue in the Wood River Valley. IDWR has some concerns about the mitigation plan proposed by the applicant to overcome the Eastern Snake Plain Moratorium and the Big Wood Ground Water Management Area restrictions, but I think those concerns can be addressed as described below.

The applicant proposes to mitigate for the depletion of water in the valley by leaving a portion of Big Wood River SRBA Claim 37-21114 undiverted in the Big Wood River. In the SRBA process some questions have been raised about the validity of the mitigation claim. Those questions will have to be resolved through the SRBA process. In the meantime, if the application is approved it could include the following condition, which was placed on Right 37-8821.

In the event that Claim 37-21114 is not confirmed in the Snake River Basin Adjudication, the right holder shall provide an alternate source of mitigation water or shall cease diverting water under this right.

Right 37-8821 also relies on Claim 37-21114 as its source of mitigation water.

Another concern is how to change the mitigation right to communicate to the right holder and the watermaster that the amount dedicated to mitigation shall remain in the Big Wood River. Yesterday afternoon IDWR circulated a draft memorandum entitled "Water Rights Dedicated for Mitigation Protected from Forfeiture" about this very subject. The draft memorandum proposes using the approval order for the new permit as the vehicle for changing the official record for the mitigation right(s) that will no longer be used. The condition to be placed on the approval order for the new permit is as follows:

To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right(s) will be changed to show that diversion

and use of water is not authorized because the rights, or portion(s) thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate	Mitigation Volume	Mitigation Acres
37-21114	Use	00.00	00.0	00

The land that will no longer be irrigated under this right is located within the <XX¼XX¼, Section 00, Township 00 North, Range 00 East, B.M.>

If the specified mitigation rights, or portions thereof, are sold, transferred, leased, used on any place of use, or are not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

This approach to changing mitigation rights has been used before in Southern Region on Permit 72-16624, and there is little reason to expect that this method will not be adopted when the memo is finalized. Therefore, I would expect the approval for this application, if one were issued, to employ this method of changing the mitigation right.

Non-use of water under Right 37-21114 is not the only mitigation requirement, however. Historically the mitigation right has been diverted from the Big Wood River many miles upstream from the proposed ground water use. To prevent injury to senior surface water users downstream from the new ground water use, the watermaster will have to prevent surface water users upstream of the impacts of the new use from intercepting the mitigation water, and he will have to make the mitigation water available to the senior surface water users downstream from the impacts of the new use. To make this objective clear, the permit should carry the following additional condition, or something like it.

The portion of Right 37-21114 committed to mitigation for the diversion of water under this right shall remain in the Big Wood River from the point of diversion for the Hiawatha Canal in the SW¼NW¼, Sec. 20, T3N, R18E, B. M., to the point where the Big Wood River enters Sec. 22, T2N, R18E, B. M., where it shall be added to the natural flow available to satisfy water rights diverted from the Big Wood River.

To implement this mitigation requirement, IDWR should also provide specific directions to the watermaster in Water District 37. Steve Burrell addressed this topic in his memo to me dated 12/20/2004.

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of Applicant Blaine County School District No. 61 Phone 208-788-2296Post Office address 118 W. Bullion Street, Hailey, ID 83333**A. PURPOSE OF TRANSFER**

- 1.
- ☒
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes
- Applicant proposes to move water right from land that will be retired from irrigation through development of Stonecove Subdivision. Also see companion transfer for portion of 37-11379 that is associated with existing place of use (Stonecove Subdivision Homeowners Association).

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
TBD*	7/27/1972	0.19 cfs	irrigation	Apr. 1 to Nov. 1
*portion of 37-11379				to
				to

2. Total amount of water being transferred
- 0.19
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- Ground Water
- tributary to
- NA

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NW	23	2N	18E	Blaine	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	23							7										7

Total Acres 5 acres within a 7-acre permissible place of use

MEMORANDUM

To: Shelly Keen, Water Right File 37-21177
From: Steve Burrell 
Date: 12/20/04
Subject: Mitigation plan implementation for permit 37-21177

This memo documents how I developed the watermaster instructions and additional conditions for permit application 37-21177 in the Memo from Shelly Keen to the 37-21177 water right file. As part of this process, the original mitigating right, 37-12818, was reviewed. Right 37-12818 was later transferred to create 37-21114, which is the proposed mitigating right for permit 37-21177. The adjudication claims review report dated 10/15/1993 shows the recommendation for claim 37-12818 is it be disallowed by forfeiture. Thus, this memo and the watermaster instructions and additional conditions referenced above are meant only as guidance should the mitigation right be found valid and the permit approved.

I reviewed 2003 water district "cut sheets", written instructions, and decree books to figure out how water is appropriated above Magic Reservoir. When certain conditions exist, as per decree, the Big Wood River is considered separated. This separation has recently occurred in early summer. Priority cut dates before the river separates are the same for the entire Big Wood river, and get determined per instructions in the 1930 Arkoosh vs BWCC decree using measured inflow to Magic Reservoir.

In determining the priority cut date for after the river is separated, the watermaster first obtains the measured flow at the USGS's Hailey gage (WD 37 Sta. #19). From studying the cut sheets, it appears that an estimate of the diversions above the gage is added to this measured flow, which then gives the natural flow. This natural flow is matched up with the running total of flows for all consumptive rights in the reach listed from senior to junior priority in the decree book. The nearest matching flow in the decree book determines the priority.

Kevin Lakey, the current watermaster, told me that the separated river condition is the only condition that may cause the mitigation water "left in the river" to become an issue. This is because sufficient water is available to satisfy demands from the river prior to the separated condition.

Lee Peterson, the previous watermaster for Water District 37 was contacted about his method for implementing previous mitigated ground water permit 37-8821. This permit uses the same concept as this proposed mitigation plan. Peterson treated mitigating flow as a reach gain, or inflow, and so it was included in the portion of natural flow measured at the Hailey gage. Peterson said treating the mitigating water as natural flow helped out downstream users because they could get more water.

Mitigating, or "left in the river" flow is flagged in the watermaster's decree book as non-consumptive use. Non-consumptive use water is not tallied in the running total of flows sorted by senior to junior priority in the decree book. By listing rights for mitigation as non-consumptive in the decree book, and not accounting for the flow could result in selecting an artificially high priority. Thus, the previous water master's procedure is not correct for managing mitigating surface rights.

To ensure old surface flows are actually left in the river to mitigate for depletion caused by changing them to ground water, it is correct to still manage them as surface rights. The point of diversion from the old surface source is treated as a "dummy" diversion located on the river closest to the new ground water diversion location, at the point of maximum interference to the river by the well. Since the new ground water diversion has an actual priority cut date corresponding to the old surface right, the new ground water right essentially is a transferred surface right, but without a real physical headgate type point of diversion. When the ground water diversion is being used, the mitigating amount of the old surface right should be considered as a diversion from the river at the new "dummy" point of diversion.

To properly manage this 37-21177 permit and the other "left in the river" mitigation type permits, they should be listed as consumptive in the water master's decree books and the ground water pump regulated just the same as a surface right headgate.



September 7, 2004

Shelley Keen
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

RECEIVED

SEP 08 2004

Department of Water Resources
Boise, Idaho

Subject: Blaine County School District No. 61; Application for Permit/Woodside Elementary School (37-21177)

Dear Shelley:

Speck and Aarnestad, PC (Ketchum, Idaho) have submitted an *Application for Permit* (37-21177) to appropriate water at the Woodside Elementary School on behalf of the Blaine County School District No. 61. The application requested an irrigation flow rate of 0.14 cfs from a ground water source for the irrigation of 7 acres. A mitigation plan was proposed to offset potential impacts on downstream water users from the proposed Woodside School withdrawals. A letter from James Stanton of the IDWR Southern Region office (dated July 15, 2004) indicated that the mitigation plan submitted for the Application for Permit was found to be unacceptable. The letter stated that "because river water could simply be used by other irrigators if left in the river, the plan does not protect water users near the proposed well from being negatively impacted by the new appropriation". This letter addresses concerns raised in the July 15, 2004 letter regarding the proposed mitigation plan.

The proposed plan for mitigating ground water production at the Woodside School well consists of leaving a portion of Big Wood River water right 37-21114 (currently diverted via the Hiawatha Canal) undiverted in the Big Wood River. We believe that this plan is appropriate because (1) the proposed mitigation plan contributes to channel water levels, thereby protecting downgradient and downstream ground and surface water users from any impacts caused by the proposed Woodside School ground water withdrawals, (2) it is unlikely that increased flows would be diverted by other users upstream of Bellevue, (3) drawdown in the vicinity of the proposed well will be minimal, (4) effects of proposed withdrawals on downgradient ground water users (e.g., in the Bellevue area) would be minimal (if any), and (5) alternative mitigation closer to the school site does not appear to be available.

1. Contribution to Big Wood River Channel

The purpose of the proposed mitigation for Woodside School withdrawals is to protect potential impacts to water users in the lower Wood River reaches. This is consistent with the goals of the Big Wood River Ground Water Management Area (BWRGWM). The BWRGWM was created in 1991 in response to the recognition that (1) surface and ground water in the Big Wood River drainage are interconnected, (2) "new ground water uses can deplete available supplies for other users and affect basin underflow which presently accumulates in the Magic Reservoir," and (3) injury could occur to prior surface and ground water rights including the storage right in Magic Reservoir if the flows of

streams, rivers, and ground water underflow in the Big Wood River Basin are intercepted by junior priority ground water diversions" (IDWR, 1991). The area was designated after "IDWR determined that junior ground water diversions were depleting senior surface water flows in the Big Wood River and Silver Creek" (Harrington and Bendixsen, 1999). The proposed mitigation plan for Application 37-21177 leaves an amount of water greater than the proposed Woodside School withdrawals in the Big Wood River to protect downstream senior surface water users.

2. Potential Diversion of Mitigation Water

There may also be a concern that mitigation water (i.e., 0.18 cfs from Snake River Basin Adjudication Claim 37-21114) left in the Big Wood River could be diverted by other users upstream of the Woodside School. The number of water rights allowing diversion of ground water from the Big Wood River between the Hiawatha Canal diversion and Bellevue (Figure 1) are listed in Table 1. A large portion of the water being diverted in Section 20 of T3N R18E is probably diverted via the Hiawatha Canal.

It is our understanding that diversions from the Big Wood River are currently monitored by the local watermaster (Kevin Lakey), and that water is diverted on the basis of priority date based on flow at the Hailey gage. Mitigation water left in the Big Wood River would not result in increases in diversions by other users because diversions would still be allocated on the basis of available natural flow in the Big Wood River. Furthermore, withdrawals from the Woodside School would occur only at those times when water is available to fill the Snake River Basin Adjudication Claim 37-21114 (a portion of right 37-577), further protecting existing users.

One way in which other senior (and/or junior users) could possibly divert additional water resulting from the undiverted mitigation water is if the Big Wood River ran dry in the Hailey-Bellevue reach. However, the river does not run dry, as indicated by hydrographs for low-water years using Hailey gage data (Figure 2). Thus, pumping at the Woodside School would result in a depletion to river flow in the Hailey to Bellevue Reach, but those depletions would be fully mitigated by the 0.18 cfs portion of water right 37-21114 that would flow past the Hailey gage.

3. Drawdown and Effect of Drawdown in the Vicinity of the proposed well

Drawdown associated with pumping from the proposed Woodside School Well is expected to have a minimal effect on local ground water levels. This is demonstrated with two calculations using analytical solutions to ground water flow equations.

Numerous analytical solutions have been developed to estimate drawdown from a well. All of these solutions have limitations and assumptions that are frequently not met in actual conditions. Nonetheless, analytical solutions can yield approximate solutions for drawdown estimates. Two analytical solutions were used to estimate aquifer drawdown at a point ¼ mile from the proposed well following 197 days (e.g., from April 1 to October 15) of continuous pumping at the maximum requested diversion rate.



Figure 1: Location map showing proposed Woodside School, section referred to in Table 1, and hydrograph wells.

Location	No. of Surface Water Rights	Total Diversions (cfs)	Number of Water Rights Senior to March 24, 1883	Total Diversions under Senior Rights (cfs)	Remarks
T3N R18E 20	124	112.591	5	4.098	(A large portion of these rights are probably diverted via the Hiawatha Canal)
T3N R18E 29	16	11.16	2	3.76	
T3N R18E 32	8	18.53			
T2N R18E 4	0	0			Only ground water rights found
T2N R18E 5	9	11.34			
T2N R18E 8	0	0			No rights found
T2N R18E 9	1	2			
T2N R18E 15	0	0			Only ground water and spring rights found
T2N R18E 16	31	36.32	2	3.32	
T2N R18E 21	0	0			Only spring right found
T2N R18E 22	21	41.616	3	3.40	
T2N R18E 26	13	5.88	1	0.02	
T2N R18E 27	2	3.87	1	0.38	
T2N R18E 35	37	19.52	6	7.25	
Total	262	262.827	20	22.228	

Table 1: Number of surface water rights in sections between (and including) the Hiawatha Canal diversion and Bellevue.

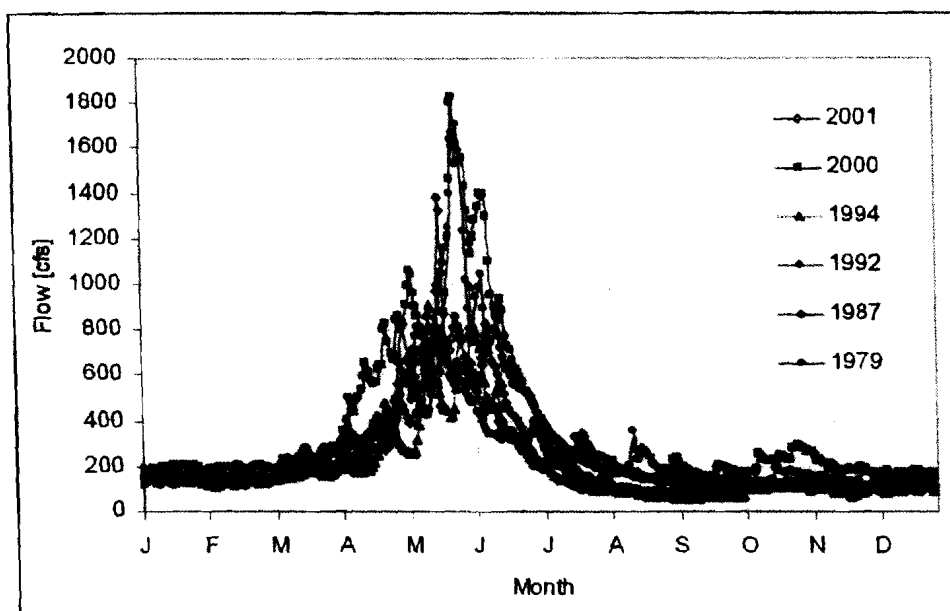


Figure 2: Big Wood hydrographs for low flow years (Hailey gage).

First, a Theis analysis was conducted to determine potential drawdown in the vicinity of the proposed Woodside School well. The solution to an equation for radial flow to a well (Theis, 1935) can be given by

$$s = \frac{Q}{4\pi T} W(u)$$

where s is drawdown, Q is discharge rate, T is transmissivity, and $W(u)$ is the well function defined as

$$W(u) = \int_u^{\infty} \left(\frac{e^{-u}}{u} \right) du \quad u = \frac{r^2 S}{4Tt}$$

and where r is the radial distance from the pumping well to an observation well, S is aquifer storativity, and t is time. Values of $W(u)$ are tabulated in Dawson and Istok (1991).

This analysis is appropriate for homogeneous aquifers bounded from above and below by aquicludes, layers are horizontal and of infinite areal extent, the pre-pumping piezometric surface is horizontal and extends infinitely in a radial direction, and the aquifer is homogeneous and isotropic. The aquifer underlying the Woodside School is almost certainly heterogeneous on a small scale, but might be considered as homogenous on a larger scale. The aquifer is probably unconfined or partially confined. The Theis solution is appropriate for use in unconfined aquifers if the drawdown values are small relative to aquifer thickness. In addition, the Theis solution is based on the assumption of infinite areal aquifer extent. However, the well is located near the alluvial basin margins, which probably represents a negative hydrologic boundary. Effective flow to the well would occur from approximately one half of the normal well radius. Estimated drawdown values using the Theis equation were therefore doubled to account for the reduced radial flow area.

Hydraulic conductivity of aquifer sediments at the proposed well site have not been measured. Aquifer materials in the vicinity of the Woodside School consist of unconsolidated, coarse-grained, highly permeable fluvioglacial, alluvial, and colluvial sediments (please see our letter to James Stanton, May 8, 2004). Frenzel (1989) estimated hydraulic conductivity values for this general area ranging from 150 ft/day to 300 ft/day. Moreland (1977) reported transmissivity estimates in the range of 30,000 to 70,000 ft²/day near Bellevue based on specific capacity data, or 200 to 470 ft/day (Frenzel, 1989). In this analysis we assumed a hydraulic conductivity value of 200 ft/day, an aquifer thickness of 200 feet (yielding a transmissivity value of 40,000 ft²/day), and a flow rate of 12,096 ft³/day (based on a requested diversion rate of 0.14 cfs in the Application for Permit). Using these parameter values, the estimated drawdown at 1,320 feet (¼ mile) from the proposed well would be approximately 0.10 feet after 197 days of continuous pumping. Doubling the drawdown estimate to account for a 50% reduction in hydraulic radius (because of negative boundary effects) would yield a drawdown estimate of 0.20 feet ¼ mile from the pumping well after 197 days of pumping.

A second estimate was made using the Neuman solution (Neuman, 1972; Neuman, 1974; Neuman, 1975; Neuman, 1987) to radial flow to a well in an unconfined aquifer (as presented in Fetter, 1994). Radial flow is described by

$$Kr \frac{\partial^2 h}{\partial r^2} + \frac{K_r \partial h}{r \partial r} + K_v \frac{\partial^2 h}{\partial z^2} = S_s \frac{\partial h}{\partial t}$$

where h is the saturated thickness of the aquifer, r is the radial distance from the pumping well, z is the elevation above the base of the aquifer, S_s is the specific storage, K_r is the radial hydraulic conductivity, K_v is vertical hydraulic conductivity, and t is time. Neuman's solution is

$$h_0 - h = \frac{Q}{4\pi T} W(u_A, u_B, \Gamma)$$

where

$$u_A = \frac{r^2 S}{4Tt} \text{ (for early drawdown data)}$$

$$u_B = \frac{r^2 S_y}{4Tt} \text{ (for late drawdown data)}$$

$$\Gamma = \frac{r^2 K_v}{b^2 K_h}$$

and where $(h_0 - h)$ is the drawdown, Q is the pumping rate, T is the transmissivity, r is the radial distance from the pumping well, S is storativity, S_y is the specific yield, t is the time, K_h is the horizontal hydraulic conductivity, K_v is the vertical hydraulic conductivity, and b is the saturated thickness of the aquifer. Values of $W(u_A, u_B, \Gamma)$ are tabulated in Fetter (1994).

This solution is appropriate for unconfined, homogeneous aquifers in which the vadose zone has no influence on drawdown, initial withdrawals come from instantaneous release of water from elastic storage, long-term drawdown comes from gravity drainage from interconnected pores, the drawdown is negligible compared to elastic storativity, and the specific yield is at least 10 times the elastic storativity. Again, these assumptions are not met entirely, rendering the drawdown estimate an approximation.

In this case the same aquifer parameter values were assumed as for the Theis solution above, and lacking information to the contrary, it was assumed that K_v was the same as K_h . Drawdown after one year at a distance of ¼ mile from the pumping well was estimated to be approximately 0.22 feet (this estimate is double the calculated estimate to account for radial flow from approximately ½ of the full well radius).

Both calculations using the Theis and Neuman solutions yielded very approximate but nearly identical drawdown estimates for the aquifer underlying the Woodside School. The calculations do not account for recharge or stream-aquifer interaction, which would substantially reduce the amount of estimated local drawdown. As such, the very low estimated drawdown values suggest minimal (if any) impacts to other well users in the vicinity of the Woodside School.

The Permit to Appropriate Water for the Woodside School well would have a current priority date, even though the mitigation for downstream users would have an 1883 priority date. Thus, any injury associated with local well interference caused by

withdrawals from the Woodside School well could result in curtailment of Woodside School well withdrawals.

We are unaware of any broad, long-term water level declines in the area between Hailey and Bellevue. IDWR maintains water level data for selected wells in the Wood River Basin in the Well_Log database. Data from wells in the general vicinity of the Woodside School were provided by Shane Bendixsen (IDWR). Wells for which there were two or more water levels spread over a multi-year timeframe and which included data more recent than the mid 1980's are shown in Figure 1. No recent data were available for any of the wells, and no data were available for wells between Hailey and Bellevue.

However, the hydrographs that were available (Figure 3) show variation from year to year (which reflects pumping levels in some of the wells), but do not appear to indicate broad long-term downward or upward trends. Thus, there is no indication that any water level trends in the vicinity of Woodside School would be exacerbated by withdrawals from the proposed school well.

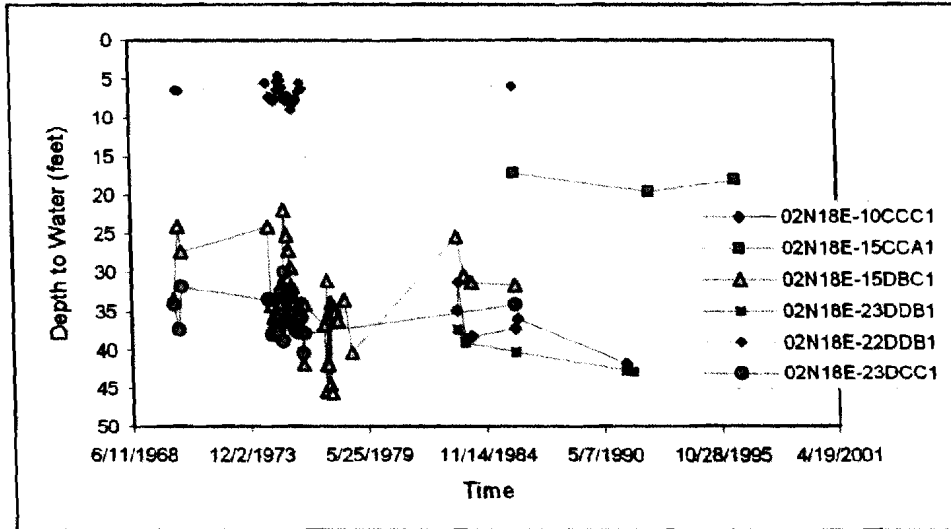


Figure 3: Hydrographs from selected wells in vicinity of Woodside School (see text).

4. Impact on Ground Water Users Downgradient of Proposed Well

Ground water flow during most of the year is likely in a down-valley direction with some component of flow toward the river. To the extent that ground water flow is down-valley, ground water flowlines likely extend from the Woodside School area in a southwesterly direction toward Bellevue. One concern that has been expressed regarding the proposed Application for Permit is that increased ground water withdrawals could impact ground water users downgradient of the proposed well (e.g., in the Bellevue area).

DIVER	R	OWNER	PRIOR	CFS	ABOVE	BELOW	TRIB	MITIG	TOTAL	NEW TOT
6 D		LOSS TO SYSTEM	01 / 01 / 1880	10.00	10.00			0.00	10.00	10.00
12 E		KATHLEEN ROSEKRANS	04 / 01 / 1880	10.00		10.00			20.00	20.00
3 D		RALPH GIRTON	07 / 01 / 1880	10.00	20.00			0.00	30.00	30.00
8 E		ECCLE'S WINDOW ROCK RANCH LLC	10 / 01 / 1880	10.00		20.00		0.00	40.00	40.00
2 D		ROBERT GARDNER	01 / 01 / 1885	10.00	30.00			10.00	50.00	60.00
5 D		E HADLEY STUART	04 / 01 / 1885	10.00	40.00			10.00	60.00	70.00
9 E		SUN VALLEY INC	07 / 01 / 1885	10.00		30.00		10.00	70.00	80.00
11 E		E HADLEY STUART	10 / 01 / 1885	10.00		40.00		~~0.00~~	80.00	80.00
1 D		SUN VALLEY INC	01 / 01 / 1890	10.00	50.00				90.00	90.00
4 D		MYER BERLOW	04 / 01 / 1890	10.00	60.00			10.00	100.00	110.00
10 E		VALLEY CLUB INC	07 / 01 / 1890	10.00		50.00		10.00	110.00	120.00
14 E		ROBERT W. PULLEN	10 / 01 / 1890	10.00		60.00			120.00	120.00
0 F		JOHN MCGONIGAL	01 / 01 / 1895	10.00			10.00		130.00	130.00
7 D		COTTONWOOD INVESTMENT	04 / 01 / 1895	10.00	70.00			10.00	140.00	150.00
13 E		J D SPRING CREEK RANCH	07 / 01 / 1895	10.00		70.00			150.00	150.00

MITIGATION START POINT

10=MITIGATION END POINT

D Decreed water rights above magic above Hailey gage

E Decreed water rights above magic below Hailey gage

F Decreed rights above Magic delivered from tributaries

FIGURING GAGE

PRIORITY > 1885 Q-10

PRIORITY < 1885 Q

WATER SHALL BE LEFT IN RIVER FOR USE AS MITIGATION
AND INCLUDED AS AVAILABLE NATURAL FLOW
AND INCLUDED AS NATURAL RIVER FLOW BELOW STATION
DIVER NO. 36/37. - CFS SHALL NOT BE
CREDITED TO NATURAL FLOW BELOW DIV # 22.
AND ABOVE # 22/22

The aquifer is hydraulically connected to the Big Wood River in the reach between Hailey and Bellevue. Transmissive sediments and a high degree of hydraulic connection between ground and surface water would ensure a rapid response between changes in ground water levels.

Drawdown associated with radial flow toward a well would be superimposed on the existing flow system. Even though ground water in the vicinity of the proposed well might flow down-valley, the head response to extraction at the proposed well would radiate outward from the well toward the river. The proposed Woodside School well is approximately 3,800 feet from the river (0.71 miles). Thus, any head changes caused by withdrawals from the Woodside School Well would likely result in changes in flow between the aquifer and the river in the vicinity of Woodside School, and would not propagate large distances down-valley. Thus (1) water users down-valley of the proposed well (e.g., those withdrawing water in or south of the Bellevue area) would be unaffected by the Woodside School withdrawals, and (2) the mitigation plan to leave water undiverted in the Big Wood River is appropriate to mitigate against downstream surface water impacts.

5. Alternative Mitigation

There has been a question regarding whether alternative mitigation might be available closer to the proposed school site. The planning representative for the Blaine County School district (John Gaeddert, Corporation for Land Planning and Engineering) indicates that it would not be feasible to bring surface water for mitigation to a location near the Woodside School site. Even if it were possible, the proposed mitigation (leaving water undiverted in the Big Wood River) would be more effective for maintaining water levels in the Big Wood River than artificial recharge in the Woodside School area.

Summary

In summary, the Woodside School is located in a relatively narrow valley overlying a shallow, unconfined aquifer present in highly-permeable, coarse-grained sediments. The aquifer is hydraulically connected to the Big Wood River; the aquifer discharges to the Big Wood River (i.e., the Big Wood River is a gaining reach) in the section between Hailey and Bellevue (Castelin and Chapman, 1972). Transmissive sediments and a high degree of hydraulic connection between the Big Wood River and underlying aquifers is the basis for the proposed mitigation of ground water use in the school vicinity area. The proposed mitigation (consisting of leaving 0.18 cfs from Snake River Basin Adjudication Claim 37-21114 undiverted in the Big Wood River) will offset any possible adverse effects from proposed Woodside School withdrawals on ground and surface water users downstream of the Bellevue area. This ensures that downstream senior water users are not impacted by Woodside School withdrawals. Analyses of potential drawdown associated with the proposed Woodside School withdrawals suggest minimal, if any, local impact.

The Blaine County School District recognizes that the proposed mitigation water has been cut in the past, and may be cut again in the future. The District proposes to limit irrigation at the Woodside School using well water to those times that water is available to fill Snake River Basin Adjudication Claim 37-21114.

For the reasons outlined above, we believe that the proposed mitigation plan is appropriate. We therefore respectfully request reconsideration of the Application for Permit for the Woodside School and the associated mitigation plan.

In advance, thank you for your review of this matter. Please call me if you have any questions about this letter, or would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Christian R. Petrich", followed by a long horizontal line extending to the right.

Christian R. Petrich, Ph.D., P.E.
Principal Engineer/Hydrologist

CC: Jim Speck, Speck & Aanestad, PC
James E. Stanton, IDWR

References

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Project: Woodside School

Date: 8/29/2004

Purpose: Estimate drawdown at 1/4 mile from proposed diversion increase

Theis Solution for radial flow to a well in a confined system

$$s = \frac{Q}{4\pi T} W(u) \quad W(u) = \int_u^\infty \left(\frac{e^{-u}}{u} \right) du \quad u = \frac{r^2 S}{4Tt}$$

Use lookup table for W(u) (e.g., p 93 Aquifer Testing - Istock)

Equation	
K =	200 (ft/day)
b =	200 ft
Q =	12096 cu ft/day
r =	1320 feet
S =	0.15
t =	197 days
T =	40000
u =	8.29E-03
W(u) =	4.29
s =	0.10 feet

Project: Woodside School

Date: 8/30/2004

Purpose: Estimate drawdown at 1/4 mile from proposed diversion increase

Radial Flow, equilibrium conditions, unconfined aquifer

$$Kr \frac{\partial^2 h}{\partial r^2} + \frac{K_r \partial h}{r \partial r} + K_v \frac{\partial^2 h}{\partial z^2} = S_s \frac{\partial h}{\partial t}$$

Neuman Solution for radial flow to a well in a confined system

$$h_0 - h = \frac{Q}{4\pi T} (u_A, u_B, \Gamma) \quad u_B = \frac{r^2 S_y}{4Tt} \quad \Gamma = \frac{r^2 K_v}{b^2 K_h}$$

Use lookup table for W(u) (e.g., Appendix 6, Fetter)

Equation

$$K_h = 200 \text{ (ft/day)}$$

$$K_v = 200 \text{ (ft/day)}$$

$$b = 200 \text{ ft}$$

$$Q = 12096 \text{ cu ft/day}$$

$$r = 1320 \text{ feet}$$

$$S = 0.15$$

$$t = 197 \text{ days}$$

$$T = 40000$$

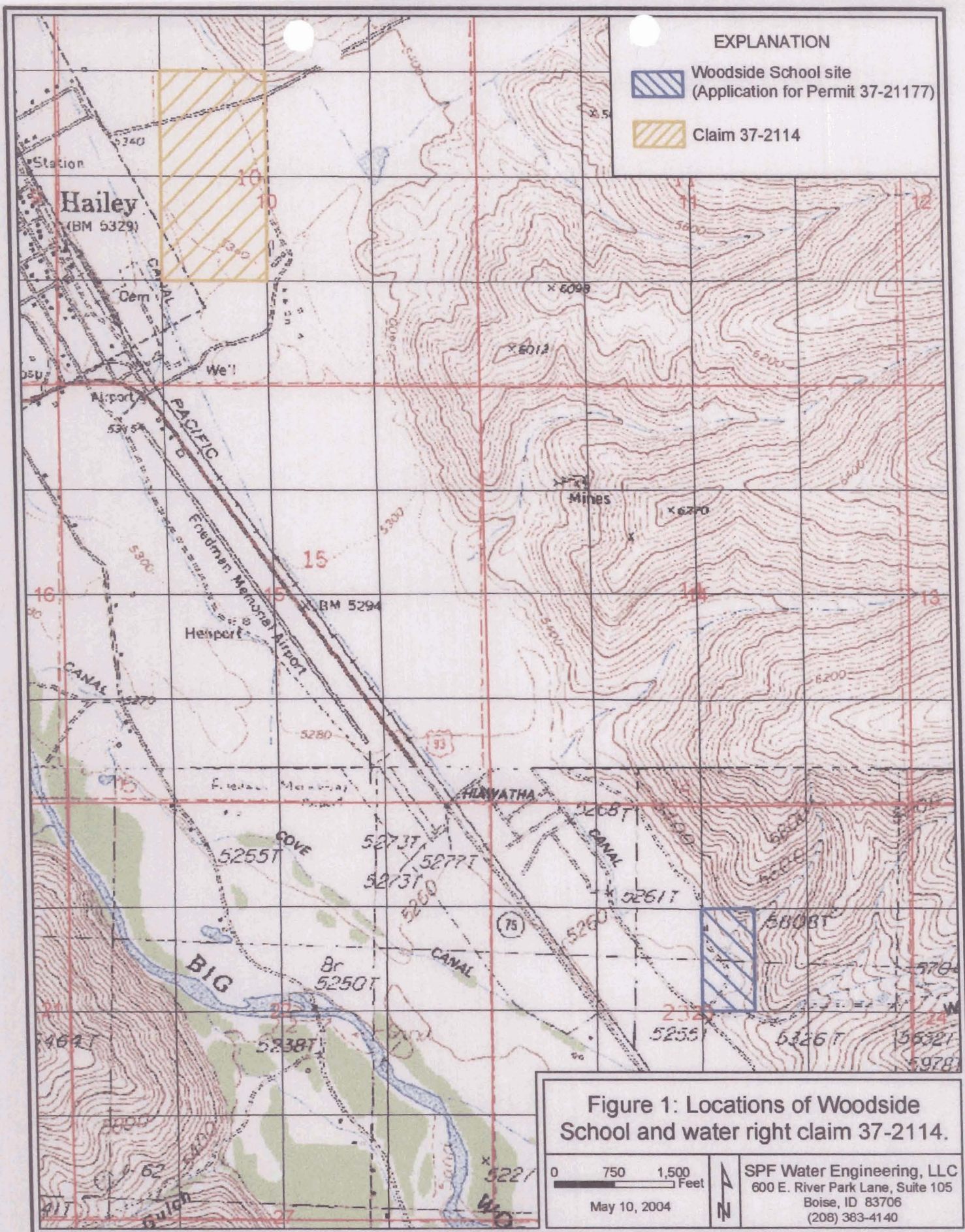
$$u_B = 0.008292$$

$$120.5999$$

$$\text{Tau} = 43.56$$

$$W(u_B, \text{Tau}) = 4.37\text{E}+00 \text{ (late time data; use max value of 6.0)}$$

$$s = 0.11 \text{ feet}$$



Walker, Kay

From: Walker, Kay
Sent: Monday, July 18, 2005 12:45 PM
To: Clelland, Steve
Cc: Walker, Kay
Subject: Mitigation for Permit 37-21177

Steve:

We recently approved permit 37-21177 which will be mitigated through Rt. 37-21114 which is a claim in SRBA. I did not have a water right to change for this one since this right is only represented by a claim (originally a part of 37-0577). You will need to go in and change 37-21114 to show a split of 0.08 cfs to mitigation use and make a 2 acre shape in arc view in the SENW, Sec. 10, Twp. 2N, Rge. 18E under claim 37-21114 place of use. Also need to send a copy of the 2 acre mitigation place of use to Christian Petrich once you have created it - he stated it could be anywhere within SENW, which is now subdivided and the water right sold to Blaine County School District #61.

If you get ready to update your claim and have questions, feel free to come over and I'll try to help you.

Thanks. Kay

copy

Claim Review for 37-21114

S. Keen
1/6/2007

Validity - Claim is for 1.06 cfs of W.T. Riley
2 ACRES 0.08 cfs mitigates for 37-21177
23 ACRES 0.60 cfs mitigates for 37-8821

Irrigation 1969 - YES
1980 - Maybe a little. Not
vigorously
1987 - NO
1992 - NO

POD - 2 PODs, Heavatha canal for most of the right, and a point on the river for the portion mitigating for 37-21177. See the conditions for 37-21177.

POU - Had to be reduced to 15 acres for irrigation because 25 acres of this right are committed to mitigation. I took all the land in the NESW and a little in the SENW for mitigation, leaving 15 acres in the SENW as the irrigation POU.

The POU for this right is now covered by the Deerfield subdivision.