



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 4, 2021

ROGER FAIRCHILD
2667 SW 3 ½ AVE
FRUITLAND ID 83619

RE: Water Permit No. 65-23597/Water Right No. 63-35021

Dear Mr. Fairchild:

The Department of Water Resources (Department) is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development established in compliance with the terms of the permit. On March 12, 2021, the Department sent you a letter requesting your submittal of an Application for Amendment of Permit for licensing purposes to change the nature of use and place of use to reflect the water uses you developed. On April 9, 2021, you met with Dan Nelson and myself to discuss the beneficial use field examination findings and the Application for Amendment of Permit. At the conclusion of the meeting, the Department understood you would submit the Application for Amendment of Permit, with the associated \$100 filing fee, to facilitate finalization of the licensing process. To date, the Department has not received the Application for Amendment of Permit.

Enclosed is another copy of the Application for Amendment form that depicts the elements of the water right, as they will appear on the license when issued. Please review the amendment form carefully. If you concur with the information presented, please sign and return the form with a \$100.00 amendment filing fee within 14 days. If the Department does not receive a response to this request, the Department will proceed with licensing the beneficial uses it is able to license in conformance with water right permit, as it exists currently.

If you have any questions, please contact me at 208-287-4951 or angie.grimm@idwr.idaho.gov.

Sincerely,

Angela M. Grimm, P.G.
Water Rights Section Manager

Enclosure: Application for Amendment

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 63-35021

COPY

Priority: April 23, 2015

Maximum Diversion Rate: 0.27 CFS

Maximum Diversion Volume: 55.6 AF

The owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-35021

ROGER FAIRCHILD 2667 SW 3 1/2 AVE FRUITLAND ID 83619

requests the permit be changed as follows:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.11 CFS	25.7 AF
INDUSTRIAL	01/01 to 12/31	0.27 CFS	27.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.1 AF
AESTHETIC STORAGE	01/01 to 12/31		2.4 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.27 CFS	

Location of Point(s) of Diversion

GROUND WATER NW¼ SE¼, Sec. 13, Twp 07N, Rge 05W, B.M. PAYETTE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	13									0.3					5.4			5.7

Total Acres: 5.7

Place of Use: INDUSTRIAL, DOMESTIC, and AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
07N	05W	13														X		

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this _____ day of _____, 20____.

(Signature)

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 63-35021

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$100 Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 63-35021 with the following:

Conditions of Approval

1. Industrial use is for cooling process water for vinegar distillery and cleaning of plant.
2. Right 63-35021 authorizes a total annual storage volume of 2.4 acre-feet, 1.8 acre-feet to be used for the initial filling or carryover storage of the pond and 0.6 acre-feet for the replacement of losses caused by evaporation.
3. The one (1) pond established by the storage of water under this right shall not exceed a total capacity of 1.8 acre-feet or a total surface area of 0.3 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this _____ day of _____, 20_____.

ANGELA GRIMM
Water Rights Section Manager

State of Idaho
Department of Water Resources
Attachment to Water Right License
63-35021

This map depicts the AESTHETIC STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Water Right License
63-35021

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

05W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Water Right License
63-35021

This map depicts the INDUSTRIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

05W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Water Right License
63-35021

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

05W



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0375 0.075 0.15 Miles

