



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 2, 2019

BROCKWAY ENGINEERING
ATTN: ZACH LATHAM
2016 N WASHINGTON ST. STE 4
TWIN FALLS, ID 83301

RE: Beneficial Use Field Exam for Permit No. 37-8739

Dear Zach:

I have begun review prior to licensing of the beneficial use exam you submitted for permit 37-8739, held by Alvin P. Shoemaker, DBA Shoemaker Properties. In reviewing the narrative you submitted, in paragraph 3, you stated "no inlet measuring device is present." Additionally, in paragraph 2, which contains the description of the outlet, there is no mention of a measuring device installed at the outlet. Condition 8 on the permit states:

Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

According to your field exam report, this condition has not been met. Idaho Administrative Processing Rule 37.03.02.035.02.d reads:

Field reports which indicate that a measuring device or lockable controlling works, required as a condition of approval of the permit, has not been installed, are not acceptable and will be returned to the examiner unless the measuring device requirement or lockable controlling works requirement has been formally waived or modified by the Director.

According to our records, the permit holder has not submitted a formal request to waive the measurement device. Therefore, this exam is not acceptable and is being returned to you. Additionally, a Notice of Intent to Void The Permit will be sent to Alvin Shoemaker informing him that this condition has not been met and therefore places the permit at risk of voiding.

If Mr. Shoemaker wishes to avoid the voiding of the permit, he can either opt to install proper measuring devices to comply with the conditions of the permit, or he can submit a written request to the Director requesting a waiver or modification of the requirement. If he chooses to submit a request for a waiver, it would best behoove him to contact the water master of water district 37 for comment prior to submitting the request.

I would like to add that, since the Proof of Beneficial Use was submitted on time, this processes will have no effect on the priority date, so long as a solution to the condition is reached.

If proper measuring devices are installed or a waiver is granted, and the permit holder wishes to move forward with the field exam you submitted, there are a few details you may want to address before resubmitting the field report.

The first of those is the pond volume calculations you submitted. The calculations only utilized the surface area and average depth to calculate total volume. You mentioned in your narrative that the pond is lined and therefore minimal seepage occurs, which is acceptable, however you did not account for any evaporative losses in your pond volume calculations.

I took the liberty of calculating these losses utilizing the Department's Pond Loss Calculator (spreadsheet enclosed) and climatic data from the Hailey Ranger Station ET Idaho weather station, and calculated an evaporative losses of another 2.0 af per year. This would bring the total volume required for irrigation storage up to 9.2 af,

The next couple details are in reference to the rate and volume associated with the irrigation from storage. Irrigation from storage does not require an irrigation rate, because all the water is considered appropriated once it has filled the reservoir. The right holder can release as little or as much water as they like, as long as the amount stays within the confines of the authorized volume. The volume available for irrigation from storage is typically the same as the actual capacity of the reservoir and must be within the confines of what the permit authorized. In this case, the actual reservoir volume (not including evaporative losses) was calculated at 7.2 af. This is what would typically be the recommended volume for irrigation from storage however, the permit authorized up to 12 af. If the permit holder can show a need for multiple fills, the permit could be licensed for a total of 12 af minus the 2 af necessary for evaporative losses. In this instance, the total volume would be 10 af for irrigation from storage. With a reservoir volume of 7.2 af and 2 af for evaporation losses, this would allow a secondary fill of 2.8 af, or about a 39% fill of the reservoir the second time.

Thank you for your time and please feel free to contact me if you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott Storms', followed by a long horizontal line extending to the right.

Scott Storms
Water Resource Agent, Senior
208-287-4915
Scott.storms@idwr.idaho.gov

Enclosure: Pond Loss Calculations