



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE

Governor

February 20, 2020

GARY SPACKMAN

Director

DRY CREEK WATER COMPANY LLC
729 S BRIDGE WAY PL
EAGLE ID 83616-6096

COPY

RE: Permit No. 63-32423, Review of 2020 Mitigation Plan

Dear Permit Holder:

The Idaho Department of Water Resources (IDWR) approved Permit No. 63-32423 with the following condition (condition #14):

No later than February 15 of each calendar year during the authorized development period for this permit, the right holder shall:

- a) Identify and estimate a diversion rate and volume for all uses under the right that will exceed the individual domestic use limits as defined by Idaho Code § 42-111(1)(a) and (b) during the year. Uses under this right that exceed the individual use limits of Idaho Code § 42-111(1)(a) and (b) are considered to be 100% consumptive. Such uses shall be mitigated through reduction of one acre of irrigation use under water rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 for each 2.7 acre feet of water diverted under this right.
- b) Identify all uses under the right that will meet the individual domestic use limits as defined by Idaho Code § 42-111(1)(a) and (b) during the year and estimate an annual diversion volume for these uses. Such uses shall be mitigated through reduction of one acre of irrigation use under water rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 for each 4.5 acre feet of water diverted under this right.
- c) Reduce the number of acres to be irrigated under Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266, sufficiently to provide the required mitigation for items "a" and "b" above.
- d) Report to the Department the volume of water to be used for municipal purposes in connection with this permit during the year.
- e) Report the number of acres required to mitigate for the municipal use, along with the water right numbers, diversion rates, and annual diversion volumes associated with those acres.
- f) Report the location of the lands that will be irrigated during the forthcoming irrigation season with water diverted under Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266. The location shall be reported in map, GIS shapefile, and PLS tabular forms.

IDWR has reviewed the above referenced 2020 Mitigation Plan for Permit 63-32423 submitted to the Department on January 27, 2020, via email, by SPF Water Engineering (SPF). Based on the review, the mitigation requirements for Permit 63-32423 are currently being met and IDWR has no additional comments. IDWR anticipates that SPF will submit the 2021 Mitigation Plan on behalf of the permit holder by February 15, 2021.

If you have any questions in regards to this matter, please do not hesitate to contact me.

Sincerely,

ASHLEY RITTER
Associate Engineer

Cc: SPF Water Engineering, Terry Scanlan & Sean Albertson

MEMORANDUM

To: Water Right File No 63-32423
From: Ashley Ritter
Date: February 3, 2020
Re: Permit 63-32423- Dry Creek Mitigation Planning, 2020 Memo Review

Intro

On January 27, 2020, SPF Water Engineering (SPF) submitted (via email) Dry Creek Mitigation Planning, 2020 memo (2020 Mitigation Plan) for the Dry Creek Ranch Aquifer Mitigation Plan for Permit 63-32423.

Permit 63-32423, condition fourteen (14) requires the following steps to be taken in preparing the annual mitigation plan:

1. Identify and estimate a diversion rate and volume for all uses under the right that will exceed the individual domestic use limits as defined by Idaho Code § 42-111(1)(a) and (b) during the year. Uses under this right that exceed the individual use limits of Idaho Code § 42-111(1) (a) and (b) are considered to be 100% consumptive. Such uses shall be mitigated through reduction of one acre of irrigation use under water rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 for each 2.7 acre feet of water diverted under this right.
2. Identify all uses under the right that will meet the individual domestic use limits as defined by Idaho Code § 42-111(1)(a) and (b) during the year and estimate an annual diversion volume for these uses. Such uses shall be mitigated through reduction of one acre of irrigation use under water rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 for each 4.5 acre feet of water diverted under this right.
3. Reduce the number of acres to be irrigated under Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266, sufficiently to provide the required mitigation for items "a" and "b" above.
4. Report to the Department the volume of water to be used for municipal purposes in connection with this permit during the year.
5. Report the number of acres required to mitigate for the municipal use, along with the water right numbers, diversion rates, and annual diversion volumes associated with those acres.
6. Report the location of the lands that will be irrigated during the forthcoming irrigation season with water diverted under Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266. The location shall be reported in map, GIS shapefile, and PLS tabular forms."

2020 Mitigation Plan Review

1. The estimated and projected annual diversion volume for domestic municipal use in 2020 is 181.8 acre-feet. This volume is based on the fact that 64 homes were occupied as of mid-December 2019 and 165 homes are expected to be occupied by the end of 2020. The domestic water usage per home in the non irrigation season (January to May and October to December) is estimated to be 200 gallons per day (gpd) and approximately 4.25 acre-feet per acre of lawn and landscape irrigation from (during the irrigation season) April to October. It is assumed that 8,500 square feet is open for irrigation on each lot (see 2020 Mitigation Plan for explanation).
2. Municipal non-domestic use diversion rate and volume are calculated based on the 2019 water use records and the anticipated irrigation demands for 2020. Estimated non-domestic municipal use for 2020 is 238 acre-feet (see 2020 Mitigation Plan for estimate calculation explanation).

3. SPF noted that 238 acre-feet is a higher rate than would typically be expected for a subdivision of this size. The high diversion rate is due to the supply wells also being used for providing irrigation water to the place of use authorized under permit 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454 and 63-32266. In the 2020 Mitigation Plan it is stated that there are a total of 50 acres of crop fields and 8 acres of open space irrigated using the municipal wells in 2020 at 4 acre-feet per acre over the course of the irrigation season.
4. To mitigate for the estimated 2020 non-domestic municipal diversion volume of 238 acre-feet, the irrigated area must be reduced by 88.1 acres ($238 \text{ acres} / 2.7 \text{ acre-feet}$). An additional 40.4 acres ($182 \text{ acres} / 4.5 \text{ acre-feet}$) must be removed from the irrigated area to mitigate for the estimated domestic municipal diversion volume of 182 acre-feet. The total mitigation acreage for 2020 is 128.5 acres. Dry Creek has removed 132.1 acres converted to developed land for the subdivision to meet the mitigation requirement.
5. Dry Creek's irrigation rights currently authorize a total of 404 acres in a single irrigation season within a 739-acre permissible place of use. Accounting for the 128.5 acres of irrigation, the allowable irrigation area for 2020 is 275.5 acres ($404 - 128.5 \text{ acres}$). The actual irrigated acres for 2020 per the 2020 Mitigation Plan is approximately 227 acres (map provided in 2020 Mitigation Plan).
6. The combined diversion rate for Dry Creek's irrigation rights is 7.48 cfs with a combined annual diversion volume of 1,764 acre-feet on a maximum of 404 irrigated acres. The combined diversion rate per irrigated acre is 0.019 cfs and the combined diversion volume per irrigated acre is 4.37 acre-feet. The 128.5 acres taken out of irrigation from the combined water rights offers a reduction of 2.44 cfs and a volume reduction of 561.5 acre-feet.

Conclusions

The mitigation requirements for 2020 are currently being met.