

Nelson, Dan

From: Nelson, Dan
Sent: Thursday, June 27, 2019 3:11 PM
To: 'Scott King'
Subject: RE: 63-34334 BUFE Update - Thorpe Family Trust

Scott,

Sounds good. I will move forward with processing. I will let you know if I need anything further.

Dan Nelson

From: Scott King [mailto:SKing@spfwater.com]
Sent: Thursday, June 27, 2019 2:43 PM
To: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Cc: Terry Scanlan <TScanlan@spfwater.com>
Subject: RE: 63-34334 BUFE Update - Thorpe Family Trust

Hello Dan,

The permit owner is okay with the proposed smaller place of use provided the diversion rate is not reduced.

Thank you,
Scott

From: Scott King
Sent: Tuesday, June 25, 2019 1:47 PM
To: 'Nelson, Dan' <Dan.Nelson@idwr.idaho.gov>
Cc: Terry Scanlan <TScanlan@spfwater.com>
Subject: RE: 63-34334 BUFE Update - Thorpe Family Trust

Dan,

Thank you for the explanation. We'll check with the permit holder and get back to you soon.

Thank you,
Scott

From: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Sent: Tuesday, June 25, 2019 10:48 AM
To: Scott King <SKing@spfwater.com>
Cc: Terry Scanlan <TScanlan@spfwater.com>
Subject: RE: 63-34334 BUFE Update - Thorpe Family Trust

Hello Scott,

I have reviewed the information that you sent, and discussed the possibility of creating a permissible place of use with my supervisor. The following are the reasons why we can't allow a permissible place of use for this permit:

- 1.) The idea of a permissible place of use was authorized for irrigation uses only. The reason that we allowed a permissible place of use is that several farmers would irrigate a portion of their land and put the rest of their land in a set aside program. It was determined that it would be a good use of water to allow irrigation uses to have a permissible place of use in these circumstances, since it was a natural part of the crop rotation. Studies have shown that allowing a farm to change acres being irrigated and letting a portion of their property to be put into a set aside program or to rest for a year to allow the nutrients to build back into the soils is beneficial to the irrigation use. We don't have studies that show that allowing ponds to be moved around would be beneficial to wildlife, so we cannot authorize this type of movement of waterways without a studies showing it is beneficial to the wildlife.
- 2.) Even if this was an irrigation right, we would not allow a permissible place of use, because the west field was not flooded during the development period. We expect to have data showing that a rotation of irrigated acres happens during the development period in order to grant a permissible place of use for irrigation. Your client submitted proof after a single year, so there was no rotation of the wildlife development. Therefore, even if we could allow a permissible place of use for wildlife uses, the information submitted during the development period clearly shows that the southwest field was not flooded during the first year of use, and no rotation was accomplished.

Due to the information given above, I can't authorize a permissible place of use for wildlife uses. Even if I could authorize a use, this project would not qualify, since no rotation occurred during the development period. Unless I receive something from you to dispute the reasoning above that I can present to my supervisor, I will move forward with the licensing based on the information available. I will not include that west field in the place of use for the licensing of this permit, since it was not flooded during the development period.

If you have any questions, please let me know and I will get an answer for you as soon as I can.

Respectfully,

Daniel Nelson
Water Right Analyst 3
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

From: Scott King [<mailto:SKing@spfwater.com>]
Sent: Thursday, June 13, 2019 11:41 AM
To: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Cc: Terry Scanlan <TScanlan@spfwater.com>
Subject: 63-34334 BUFE Update - Thorpe Family Trust

Hello Dan,

Attached are documents related to 63-34334, including

1. A letter from the permit holder requesting a permissible place of use for licensing 63-34334. This PPU is per our discussion earlier this week to include the field to the west.
2. Statements from the Ryan Thorpe (permit holder) and Larry Winchester (Island Highline Ditch Company) documenting diversion from October 1 to January 31 this past season.

Diversion volume based on the period October 1 to January 31 (123 days) is calculated as:

$13.1 \text{ cfs} \times 1.9835 \text{ af/cfs-day} \times 123 \text{ days} = 3196 \text{ afa.}$

Please let me know if you have any more questions on this one.

Thank you,
Scott

Scott N. King, P.E. | Supervising Engineer

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June 12, 2019

Dan Nelson
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Subject: Permit 63-34334

Dear Mr. Nelson:

Please consider this letter as a request to create a permissible place of use for licensing of permit 63-34334. The permissible place of use should consist of the 87-acre area outlined as the place of use on the permit.

Sincerely,

Ryan Thorpe
Thorpe Family Trust

A handwritten signature in black ink, appearing to read "Ryan Thorpe", with a long horizontal flourish extending to the right.

I, Ryan Thorpe, ran water in the Island Highline Ditch to flood fields for hunting from October 1st, 2018 until January 31st, 2019. The staff gage at the diversion point read 0.45 or higher the entire time I was diverting to the fields.

RYAN THORPE
THORPE FAMILY TRUST

A handwritten signature in black ink, appearing to read "Ryan Thorpe", with a long horizontal line extending to the right.

I observed water running in the Island Highline continuously through the fall of 2018 and until the end of January 2019. The water was being used for flooding of fields on Ryan Thorpe's property on the north side of Boulder Road."

Larry Winchester

Island Highline Ditch Company

A handwritten signature in cursive script, appearing to read "Larry Winchester".