

MEMORANDUM

To: Water Right File No 63-32423
From: Ashley Ritter
Date: July 12, 2019
Re: Reporting Requirements Review

Intro

On May 15, 2019 SPF Water Engineering (SPF) submitted 2018 Annual Water Level Monitoring Report (Monitoring Report) for the Dry Creek Ranch Aquifer Monitoring Plan for Permit 63-32423. Permit 63-32423 condition twelve (12) requires the right holder to carry out the "Dry Creek Ranch Aquifer Monitoring Plan: April 2008." (See Exhibit E of the January 14, 2009, Water Rights Agreement between Dry Creek Rural Neighborhood Association and JMM Dry Creek LLC.)

Conclusions

The requirement for the permit holder to carry out the approved monitoring plan for permit 63-32423 have been satisfied.

The Monitoring Report does not describe or address any diversion from existing productions wells. I called and spoke with Jason Thompson (SPF), and he stated that the permit holder has recently begun to divert water. SPF has submitted a proposal to the permit holder concerning monitoring and reporting of production well diversion that is required to be submitted to IDWR to satisfy conditions under permit 62-32423.

Permit 63-32423 condition fourteen (14) states:

... "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.