

Edl, Michele

From: Edl, Michele
Sent: Thursday, March 28, 2019 1:08 PM
To: 'tbuchert@premierllc.net'
Subject: options for permitted uses 63-33594

Mr. Buchert,

It was a pleasure to speak with you this morning.

Your permit 63-33594, currently authorizes diversion of water for irrigation use on as much as 20 acres, at a maximum diversion rate of 0.20 cfs, and within 3/1-11/15 which is the standard irrigation season for that area. In our phone conversation, you explained that you are interested in also developing the commercial aspects of a winery but that the quantity of water needed for the winery is still an unknown.

You asked if you needed to make changes to your permit. The short answer is yes. Permit 63-33594 will need to be amended before IDWR issues a license.

Based on our discussion, you believe that the permitted maximum diversion rate (20 cfs) and the implied volume associated with that rate and use in this area (90 AF per year) will be more than sufficient for maintaining the grapes vines themselves. If your permit is generous enough to accommodate both uses, then although there is a concern it can be addressed relatively painlessly. IDWR can make changes in the permit either now or in the future when we are preparing to issue a license for the uses. At either time, IDWR will need to complete a change in nature-of-use analysis. The analysis would convert some of the unused, but authorized water use from irrigation to commercial. Meaning we would take a part of the irrigation use away and convert it to year-round commercial use in the winery. The overall permitted quantities would not change.

However, if the two uses exceed the rate and volume originally authorized by the permit, then we have more serious problem. You would diverting water without a water right and would need to either pursue another water right for the additional water use or to curtail part of the developed use.

I hope this helps.

Michele Edl