

Nelson, Dan

From: Nelson, Dan
Sent: Tuesday, August 28, 2018 10:52 AM
To: 'Roxanne Brown'
Subject: Field Report for Permit 63-34259
Attachments: Field Report Acknowledgement letter 63-34259.pdf

Dear Ms. Brown;

Attached to this email is a letter acknowledging the receipt of the field report for permit 63-34259. I did a quick review of the field report and found some issues that may need to be rectified. The field report was also submitted without the proof of beneficial use statement. It has been decided that we will keep the report in the file until we receive the proof of beneficial use statement, unless you determine that it would be in your client's best interest to withdraw the field report and resubmit it with the proof of beneficial use statement. This is an unusable request, but Idaho Code and the IDAPA rules do not prevent the submittal of the report without the proof of beneficial use statement, but the Department cannot proceed with processing until the proof of beneficial use statement is received.

Respectfully,

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 28, 2018

SPF WATER ENGINEERING
ATTN ROXANNE BROWN
300 E MALLARD DR SUITE 350
BOISE ID 83706

RE: Certified Water Right Examiner Field Report for 63-34259

Dear Ms. Brown;

Our Office has received the field report for water right permit 63-34259. Unfortunately, we cannot move forward with a formal review of the field report or the licensing process for this permit until we receive the proof of beneficial use form. Our office will hold this exam until the proof of beneficial use is received or the date that the proof of beneficial use is due.

I have performed a quick review of the field report for completeness, and discovered that the diversion rate measured in the spring of 2017 in the report did not match the measurement made in the fall of 2013 for water right 63-12305 for this well. Irrigation of surrounding field generally contributes water to the aquifer, the flows in artesian wells in this area tend to increase as the irrigation season progresses. You could use your measurement, the measurement made for 63-12305, or you could re-measure the well later on in the season. The choice is yours, but if we use the measurement included in the field report, we would be required to limit the diversion rate to the 0.08 cfs measured in the field report and the 57.9 af calculated for the annual volume. This may require the permit holder to reduce the flow in the well later on in the season.

I also noticed that the wells are no longer equipped with their measurement devices. Water right 63-12305 requires that the measurement devices on the wells be maintained. There were orifice plates on the wells at the time of the 2013 measurement. However, the photos suggest that those orifice plates have been removed. This would be a violation of the conditions of water right 63-12305, and could result in the rejection of this field report and possible compliance violations for water right 63-12305.

The review I performed was very brief, because I am not allowed to complete a thorough review the field report until the proof of beneficial use is received. If the proof of beneficial use is received after the date due, then this report will be returned without further review. If there is something in this field report that could be cause for rejection of the report, then the permit could lapse if the resubmittal of the field report is after the date the proof of beneficial use statement is due.

It may be in your client's best interest to withdraw the report and ensure that all of the conditions required for water right 63-12305 and this permit have been met and maintained. I would recommend that you review the field report and correspondence for water right 63-12305 carefully to ensure this field report doesn't result in complications for the conditions of that water right. You may also want to ensure that the recommended diversion rate for this permit is also correct.

If you have any further questions, please don't hesitate to contact me.

Respectfully;

A handwritten signature in dark ink, appearing to read "Daniel Nelson", with a long horizontal flourish extending to the right.

Daniel Nelson
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