

Block, Darla

From: Ron Shurtleff <waterdist65@srvinet.com>
Sent: Friday, June 29, 2018 4:30 PM
To: Block, Darla
Subject: Request for waiver to Measuring device and Lockable works: 65-23509
Attachments: FisherWaiver65-23509.pdf

Darla,

I was able to research the water right application for Dewey and Mary Jo Fisher in regard for their request for a waiver to the condition requiring a measuring device and a lockable works. I sent a letter to them today and have attached a copy of the letter for you. It looks like there are some ponds downstream that may feel the impact, however I did not find any water rights for them. I do believe with the close proximity to the Middle Fork of the Payette, the springs do contribute to stream flow.

Ron Shurtleff

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Payette River Basin, State of Idaho
State, Water District No. 65

Watermaster,
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June 28, 2018

H. Dewey Fisher and Mary Jo Fisher
P.O. Box 577
Garden Valley, ID 83622

Re: Water Right No. 65-23509; Request to waive condition requiring installation and maintenance of a measuring device and a lockable controlling works.

Dear Mr. and Mrs. Fisher

I have reviewed your water right application and considered your request to seek a waiver to the condition for approval, to install and maintain a measuring device and a lockable controlling works.

The action to divert or intercept the output of the spring flow will deprive downstream senior water rights of natural flow. To achieve an equitable method of mitigation, installation of a measuring device on the inflow to your system, and a second on the outflow might be appropriate. The actual effect of your usage could then be calculated and you would be able to mitigate by renting storage water equal to your consumption rate. This would be the most economical method for you.

If a waiver is granted actual impact to senior users is not obtainable. Consequently the safe method of mitigating to the seniors is to use the diversion rate as listed on the water right and assume it is diverted at all times. This method will calculate to a mitigation requirement of approximately 36.5 acre feet per year at a rate of 0.2 CFS. The current storage water rental fee is \$3.50 per acre foot from the Payette Basin local Rental Pool.

I am willing to grant a waiver to the measuring device if you are comfortable with obligating your selves to an annual mitigation level of 36.5 acre feet per year. Keep in mind the option to reinstate the condition to install a measuring device will be reserved in the event it becomes necessary to administer water rights at a future time.

Sincerely,


Ron Shurtleff