

Cefalo, James

From: Cefalo, James
Sent: Tuesday, February 13, 2018 11:09 AM
To: 'Kristin Moore'
Subject: RE: Application for Permit 21-13235 (Shovelback Holdings)

Kristin,

Before signing the permit, I wanted some assurance that the issuance of the permit would not exacerbate an existing unauthorized water use. One way to address the concerns would be for Shovelback to file a transfer to cover the irrigated areas of the RV park. However, it sounds like Shovelback is not quite ready to move forward with a transfer application. Another way to address the concerns would be to have the enforcement staff monitor the water use at the RV park to ensure compliance with water right limits.

I have now referred the case to the enforcement staff. They will likely send a cease and desist letter, instructing Shovelback to cease all irrigation until an irrigation water right is transferred to the property. I will approve Permit 21-13235 by the end of the week.

James

From: Kristin Moore [mailto:kristin.rmea@gmail.com]
Sent: Monday, February 12, 2018 2:40 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: FW: Application for Permit 21-13235 (Shovelback Holdings)

James,

I know you were out last week and have a lot of catching up to do. Just wanted to check in with you regarding this Permit. The applicant is anxious about moving forward. Please let me know your thoughts regarding our email communications below.

Thanks,

Kristin Moore
Senior Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353 ||| FAX: 208-524-1795



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From: Kristin Moore [<mailto:kristin.rmea@gmail.com>]
Sent: Thursday, February 01, 2018 8:41 AM
To: 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>
Subject: RE: Application for Permit 21-13235 (Shovelback Holdings)

James,

Will you be holding this permit until a transfer is submitted? Or can you approve it knowing the owner has ceased irrigation? He would like to move forward with system buildout and drilling a well before the season begins. We are exploring some water right purchase possibilities right now.

Kristin Moore
Senior Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
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From: Cefalo, James [<mailto:James.Cefalo@idwr.idaho.gov>]
Sent: Monday, January 22, 2018 10:00 AM
To: Kristin Moore <kristin.rmea@gmail.com>
Subject: RE: Application for Permit 21-13235 (Shovelback Holdings)

It is possible, if there are no issues with the local aquifer at the proposed point of diversion. I am not aware of any aquifer concerns in the Henrys Lake area.

From: Kristin Moore [<mailto:kristin.rmea@gmail.com>]
Sent: Monday, January 22, 2018 9:20 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: RE: Application for Permit 21-13235 (Shovelback Holdings)

James,

I understand your concerns. Our client just purchased this RV Park last summer. We did a water rights review for them and also identified concerns regarding irrigation, which we explained to him. As soon as he purchased the property, he ceased all irrigation practices. Some of the open spaces were then constructed into buildings or tennis courts, which removes the irrigation demand also. For what remains, we are hoping to purchase some ground water rights to transfer to the park to cover about 2 ½ acres of irrigation, which will include the existing irrigation and a small amount in the proposed. He intends to make a majority of the new park natural landscaping. Bryce has done some preliminary modeling of the proposed pumping for the 2 ½ irrigated acres to the Henry's Fork and found the impact to be small. Is a transfer from within the ESPA to Island Park a possibility?

Kristin Moore

Senior Water Rights Analyst

482 Constitution Way, Ste 303, Idaho Falls, ID 83402

E-Mail: kristin.rmea@gmail.com

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From: Cefalo, James [<mailto:James.Cefalo@idwr.idaho.gov>]

Sent: Thursday, January 18, 2018 4:00 PM

To: Kristin Moore <kristin.rmea@gmail.com>

Subject: Application for Permit 21-13235 (Shovelback Holdings)

Kristin,

I just completed a final review for Application 21-13235 filed by Shovelback Holdings LLC. The application proposes diverting 0.58 cfs from ground water for commercial use at an existing and expanded RV park. The application states that the proposed commercial use will be non-consumptive.

The existing, developed portion of the RV park is covered by water right 21-7360 which authorizes the diversion of 0.04 cfs and an annual diversion volume of 0.5 acre-feet. Application 21-7360 (filed in 1985) did not describe any outside irrigation. The licensed annual volume (0.5 acre-feet) is based on the expected use by the RVs and occupants and did not include any volume for irrigation. The volume listed on the SRBA decree for water right 21-7360 matched the licensed volume.

Aerial photos show that at least 2 acres are being irrigated at the existing RV park. Using data from the ET Idaho website (Island Park station, turf grass, precipitation deficit), the irrigation occurring at the developed portion of the RV park would require as much as 3 acre-feet per year. In other words, Shovelback Holdings is diverting at least six times more water on an annual basis than water right 21-7360 would allow.

I am hesitant to approve a permit for expanded water use at a site where there is an ongoing water right violation. The application states that a transfer application may be filed to cover the irrigation occurring on the property. When do you anticipate filing such a transfer application?

James Cefalo

Water Resources Program Manager

IDWR Eastern Region

(208) 525-7161

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