

From: [Dave Shaw](#)
To: [Peppersack, Jeff](#)
Cc: [Keen, Shelley](#); [Rushing, Emalee](#)
Subject: RE: Warm Springs and Thurman Mill Mitigation Water
Date: Thursday, October 05, 2017 9:56:48 AM

Thank you Jeff,

That does address the concern I had. FYI, the 78.5 came from Et Idaho for low management pasture as I recall.

Thank you for looking into this issue and finding a simple solution.

Dave

David Shaw

ERO Resources Corporation

From: Peppersack, Jeff [mailto:Jeff.Peppersack@idwr.idaho.gov]
Sent: Thursday, October 5, 2017 9:45 AM
To: Dave Shaw <dshaw@eroresources.com>
Cc: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Rushing, Emalee <Emalee.Rushing@idwr.idaho.gov>
Subject: RE: Warm Springs and Thurman Mill Mitigation Water

Dave,

Looks like the 78.5 ac-ft value in the condition on the permit is an error. I couldn't determine how that number was calculated. The reviewer allowed a 1:1 swap for irrigation to ponds to mitigate for evaporation (see Transfer Memo 26) under the permit. The volume required for mitigation should have been based on the CIR for pasture from the 1983 Allen and Brockway estimates (2.91 ac-ft/ac in the Boise area). That equates to 64.6 ac-ft for 22.2 acres, which matches the transferred values. The transfer numbers appear to be correct in acres, rate and volume. If the 22.2 acres of ponds were developed, and 22.2 acres were dried up under the transfers, the permit holder should be in compliance if the mitigation water is diverted into the ponds.

I think we can fix the permit at the time of licensing. We'll probably use the updated condition (no. 936) on the license which reads as follows:

Per Transfer <78771>, Right <63-146> authorizes the diversion of <0.00> cfs and <00.0> af of water to storage to offset evaporation and seepage losses from the <pond(s) or reservoir(s)> authorized by this right.

I'll have a copy of this message added to the file. Let me know if this addresses your concern.

Jeff

From: Dave Shaw [<mailto:dshaw@eroresources.com>]
Sent: Wednesday, October 04, 2017 9:30 AM
To: Peppersack, Jeff <Jeff.Peppersack@idwr.idaho.gov>
Subject: Warm Springs and Thurman Mill Mitigation Water

Jeff,

When we spoke Monday you asked for the water rights providing mitigation to the ponds in the Lakemoor development for the aesthetic pond water right 63-32366. The approval of this permit indicated 78.5 ac-ft of mitigation would be provided.

Warm Springs converted a fraction of all 3 of their water rights: 63-192, 63-216C and 63-19425. Combined they converted 14 acres of irrigation to aesthetic storage in the amount of 40.7 acre-feet.

Thurman Mill converted a portion of water right 63-250 in the amount of 8.2 acres and 23.9 ac-ft for aesthetic storage.

The application for 63-32366 requested 22.2 acres of ponds and the mitigation provided 14 plus 8.2 for a total of 22.2 acres of mitigation. Permit 63-32366 was issued for 23 acres of ponds but I believe the development will be within the 22.2 on the application.

The problem arises because permit 63-32366 calls for 78.5 ac-ft of mitigation but the total provided is $40.7 + 23.9 = 64.6$ ac-ft even though the acres match.

Thank you for your help with this, hopefully it will be easy to unwind, please call if you have questions.

Dave

David Shaw

ERO Resources Corporation

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