

Skinner, Corey

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Thursday, August 24, 2017 12:17 PM
To: Skinner, Corey
Cc: 'Charles G. Brockway'
Subject: RE: Petition for Reconsideration; Transfer 81331 and Permits 37-23021, 37-23022, 37-23023 and 37-23027

Corey-

Thank you for your reply. In addition to the two specific items I addressed below, we would like to petition for reconsideration to discuss and or resolve the following:

1. Condition number three on all water right permits 37-23021, 37-23022, 37-23023 and 37-23027 requires excessive infrastructure and cost, and is inconsistent with how IDWR has permitted and or licensed irrigation and other non-consumptive water rights in the past.
2. The annual volume limit for irrigation storage and irrigation from storage associated with 37-23023 should be 391.9 acre-feet, not 391.6 acre-feet as listed on the permit.
3. Condition number eleven on water right permit 37-23023; pond evaporation should be 3.8 acre-feet as is listed in other permits for same ponds.
4. Annual volume limit under 37-23027 is listed at 202.7 acre-feet, we applied for 1,111.6 acre-feet. We would like to know how the 202.7 AF was calculated, why the limit isn't 1,111.6 AF as applied for?

Per the timing and specifics listed in this petition, it's my understanding that this petition and these issues will be considered timely by IDWR. Chuck and I would like to discuss them with you over the phone at some point this week or next, please let me know your availability.

Thanks for your time and I look forward to hearing from you.

Zach Latham

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From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Monday, August 21, 2017 12:04 PM
To: Zach Latham
Cc: Charles G. Brockway
Subject: RE: Petition for Reconsideration; Transfer 81331 and Permits 37-23021, 37-23022, 37-23023 and 37-23027

Zach,

This e-mail will serve as an acknowledgement of your petition. This Thursday, the 24th, is the 14th day after the certificate of service. I will available to discuss this Thursday. Please note that petitions received by the Department must be specific and timely filed. If there are other items/conditions besides the volume on the transfer approval and the 0.02 cfs per acre limit condition(s), they will need to be specific and filed by the end of the day on Thursday.

Corey

From: Zach Latham [<mailto:zach.latham@brockwayeng.com>]

Sent: Friday, August 18, 2017 4:11 PM

To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>

Cc: charles.g.brockway@brockwayeng.com

Subject: Petition for Reconsideration; Transfer 81331 and Permits 37-23021, 37-23022, 37-23023 and 37-23027

Corey-

This email serves as a formal petition for reconsideration for approved water right transfer 81331 and recently approved permits 37-23021, 37-23022, 37-23023 and 37-23027. Relative to the transfer, there is an error on the 1st page associated with the transfer volume listed in the portion titled "Summary of Water Rights After the Approved Change". Specifically, the 395.3 af should be 395.7. We also need to fix the diversion volumes on page 2 as they do not coincide with other volumes listed in the approved transfer and or our applicaiton.

Additionally, all existing rights as well as the four new permits are limited to no more than 0.02 cfs per acre for irrigation when combined. The surface water sources are not limited to 0.02 cfs per acre now when combined so this condition is not warranted and effectively limits the diversion rate under those rights to amounts less than were partially decreed. I would also request reserving the opportunity to discuss other conditions that we may have issue with in the approvals by way of this petition.

I will be back in the office on Thursday of next week hence the reason for sending this petition ahead of the 14 day reconsideration period. I would like to discuss this email after that time. Thanks for your time and please advise us as to how you would like to proceed.

Zach Latham

Hydrologist

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