

Nelson, Dan

From: Erickson, Nathan
Sent: Tuesday, July 18, 2017 3:49 PM
To: Nelson, Dan
Subject: RE: Blaine School District

Dan,
I took a look at permit 37-21742 and I would recommend that the requirement for the data logger be taken off. They have complied with the meter requirement and that should be sufficient.
Thanks,
Nathan

From: Nelson, Dan
Sent: Thursday, July 06, 2017 10:34 AM
To: Erickson, Nathan <Nathan.Erickson@idwr.idaho.gov>
Subject: Blaine School District

Hello Nathan,

I am preparing to go out on the Blaine School District water right 37-21742. I have downloaded the information from WMIS and Jana sent me information from the file on the Heating and Cooling, which I am gathering some information for Michele Edl. However, my main concern is the irrigation right. I will list my concerns below:

1.) One of the conditions states:

At any time when the point of diversion for Right 37-2657B is providing water to the Simpson property in Sections 3 and 10, Twp. 2S, Rge. 21E, the 20 mitigation acres described above shall not be irrigated under any water right appurtenant to said property on the date of this approval. Prior to using this well for irrigation of the Simpson property, the current owner or operator shall notify the watermaster of Water District 130 that this diversion will occur.

I couldn't find anywhere where they have notified the watermaster when they started using the water. It doesn't appear as though they have stopped irrigating those 20 acres since the permit was filed (see attached map). Are you actively regulating the mitigation for this permit? Have they contacted you? Anything you can tell me about this situation will really help me figure out what to do with the license. From what I can see right now, the permit should be voided, since the mitigation condition has not been met. What are your thoughts.

2.) Another condition states:

Prior to the diversion and use of water under Right 37-21742, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion, in accordance with Department specifications.

Do you know if they have installed the data logger? I can't find anything in the water right file that waives the data logger requirement, and I can't find anything in the records that Jana sent giving a variance on the data logger requirement. If they don't have the data logger, what would you recommend I do. Generally, we give them 30 days to install the data logger or submit a request to the Department to waive the data logger requirement with watermaster consent. If they don't supply that information, we void the permit. If we do receive a request to waive the data logger requirement and have consent from the watermaster, we can

prepare an order to waive the data logger requirement. I spoke with Jana, and she said that you consider a totalizer and data logger the same thing, but they are actually two very different types of measurement recorders in the licensing world.

Please let me know what your thoughts are on the above questions. I am going out to the place of use

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