

Nelson, Dan

From: Scott King [SKing@spfwater.com]
Sent: Tuesday, November 17, 2015 9:41 AM
To: Nelson, Dan
Subject: RE: Water Right Permits 63-32226, 63-32608, and 63-33643

Dan,
It was explained to me there is a berm running east/west through that western field. The berm holds the water back to flood that field.

Thanks,
Scott

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]
Sent: Monday, November 16, 2015 8:00 AM
To: Scott King
Subject: RE: Water Right Permits 63-32226, 63-32608, and 63-33643

Hi Scott,

We have a meeting concerning 63-33643 this afternoon. I will call you as soon as the meeting is over. We should be done about 3:30 – 4:00.

Thank you for the information on the headgate. That will work for us to prove that there is a lockable headgate for this diversion.

I am still confused on how the south ½ of Field E can be flooded to an approximate depth of 1.9 feet without also flooding out the northern ½ of the field. I have no doubts that water from the drain can be delivered to the field, but I need to know is why the northern portion of the field was not included. Is the old ditch line from the 1990 photos a high point in the field? The old ditch line matches the line that you drew, but I can't tell from the aerial photos if this field is totally flat or if there is a natural slope to the field tapering off to the old river channel north of the field. The contour lines for this area suggest that the land slopes north to the old river channel. If the land slopes north to the river channel without some sort of berm or high ground blocking the water from flowing north towards the old river channel, then what is preventing the northern field from also being flooded? The only way that I can see the southern portion of Field E being flooded is if the old ditch is a high point in the field or if the field actually slopes to the south instead of the north as is implied by the contour lines.

I am sorry about being a stickler on the Field E issue, but I must be able to clearly understand the entire system before I can recommend a permit to be licensed, so I can defend my recommendation. It is even more significant, since Field E wasn't included in the original permit as a place of use. This owner has already been involved in a complaint investigation for creating the pond on the drain without a water right resulting in the filing of permit 63-33643, so we need specific details on this one to ensure that everything is absolutely clear to avoid further complaints down the road.

Thank you for helping out on this one Scott. Hopefully, we can get them through the process fairly quickly.

Dan

From: Scott King [mailto:SKing@spfwater.com]
Sent: Friday, November 13, 2015 5:32 PM

To: Nelson, Dan

Subject: RE: Water Right Permits 63-32226, 63-32608, and 63-33643

Hello Dan,

Field E is flood irrigated. It can be flooded deep enough that it should be included as a pond area. The "control structure" in Figure 6 is where water can be turned to field E where it is delivered via pipe and has sufficient head to flood this field.

You're correct in that the point of diversion is a slide that may not be lockable. You mentioned the wheel gate in figure #2. That gate delivers water to the neighbor's property, Doug Merges. What you don't see is a brand new wheel gate on the photo right, behind the elevated tank. This gate can be locked to prevent all flow into the system from the slide gate at the initial POD. Sorry for not getting a good photo of it. I thought I had one. In Figure 2, Mr. Classen is lifting another slide gate, and that is the flow that enters the weir box.

Let's talk about 63-33643. Call me Monday or I'll try to remember to call you.

Thanks much,
Scott

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]

Sent: Friday, November 13, 2015 8:33 AM

To: Scott King

Subject: Water Right Permits 63-32226, 63-32608, and 63-33643

Hello Scott,

I have started looking through the field exams for 63-32226 and 63-32608. I am struggling a bit with the location of the ponds. The permit doesn't include pond E in its maps, but it shows a pond just east of ponds B and C. When I look at the aerial photos, it doesn't look like they could flood ½ of the field for pond E, but the area shown in the permit does look like it has held water for a pond.

The 1990 aerial photos do show a ditch running through the middle of the field, but it looks like it was leveled off during the early 2000's. I know this is tough to see through our aerial photos, because they grow crops on the fields before they flood them. However, if you could give me a bit more of a description for these ponds, I would appreciate it.

Also the photos supplied of the point of diversion show a slide headgate with holes in the arm, but nothing to lock the headgate in place or adjust it. There is a condition on the permit that says the diversion needs a lockable controllable headgate. I did notice that there is a wheel gate in figure #2, but it doesn't say that the wheel gate controls the water piped from the drain. Could you give me a bit more information on the headgates and how they work and comply with the conditions of the permit?

Permit 63-33643 seemed a bit strange to me with 2 points of diversion for an on stream storage water right, so I spoke with Shelley about it. It appears as though the original application had a wildlife component that allowed flow through water through the east diversion through a ditch to the south portion of the pond. However, in a later amendment, the wildlife component was removed by an amendment. I think we both missed the mark on the amendment, since the only point of diversion that is actually storing water is the west diversion that is damming up the drain. The only way that we can allow the east diversion that flows through the ditch to the south pond is if there is a wildlife component, and this permit does not authorize a wildlife component. Therefore, your client would need to file another water right to cover the east point of diversion for wildlife to allow this to be an authorized point of diversion. Unfortunately, I cannot recommend the east diversion under this permit, and I wanted to let you know what was happening before we issued the license for this permit to avoid any surprises.

I would appreciate it if you could clarify the issues with water rights 63-32226 and 63-32608 within the next 14 days. All I will need is an email back answering the questions. I will continue to work on licensing water right 63-33643 in the mean time.

Thank you Scott. I appreciate the work you did on this one.

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)