

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 34-13763

Priority: July 29, 2002

Maximum Diversion Rate: 1.50 CFS
Maximum Diversion Volume: 262.5 AF

It is hereby certified that 6 X RANCH LLC
C/O BLAKE QUINN
PO BOX 226789
LOS ANGELES CA 90022 has complied with the terms and conditions of
the permit, issued pursuant to Application for Permit dated July 29, 2002; and has submitted Proof of
Beneficial Use on December 31, 2014. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	05/01 to 10/15	1.50 CFS	262.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW1/4SW1/4 Sec. 25, Twp 08N, Rge 22E, B.M. CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N 22E 25							37.0				38.0						75.0

Total Acres: 75

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 34-13763

5. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water right for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the right, or portion thereof, is being dedicated to mitigation purposes.

Right Nos.	Use Changed to Mitigation	Mitigation Rate	Mitigation Volume	Mitigation Acres
34-483B	Irrigation	1.50 cfs	262.5 ac-ft	75

The land that will no longer be irrigated under this right is located within the SWNW, Section 25, Township 08N, Range 22E, B.M. and NWSW, Section 25, Township 08N, Range 22E, B.M.

Diversion under this right is authorized only during those times when the full rate of mitigation water (1.50 CFS) is available for delivery from Warm Springs Creek. If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the diversion of ground water under this right shall cease in its entirety.

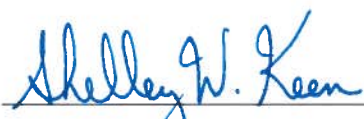
In addition, the place of use on the official record for associated water rights 34-123B and 34-124B will be reduced to exclude the 75 acres authorized for irrigation under this right.

The official record for associated water right 34-125B will be changed by reducing the place of use by the 75 acres authorized for irrigation under this right. In order to prevent injury to other users on Neilsen Ditch, the diversion rate for 34-125B will not be reduced.

Existing combined use limitations will be revised as well. Rights 34-123B, 34-124B, 34-125B, 34-483B, and 34-2320 when combined shall not exceed a total diversion rate of 4.96 cfs, a total annual maximum diversion volume of 785.8 af at the field headgate, and the irrigation of 219.5 acres.

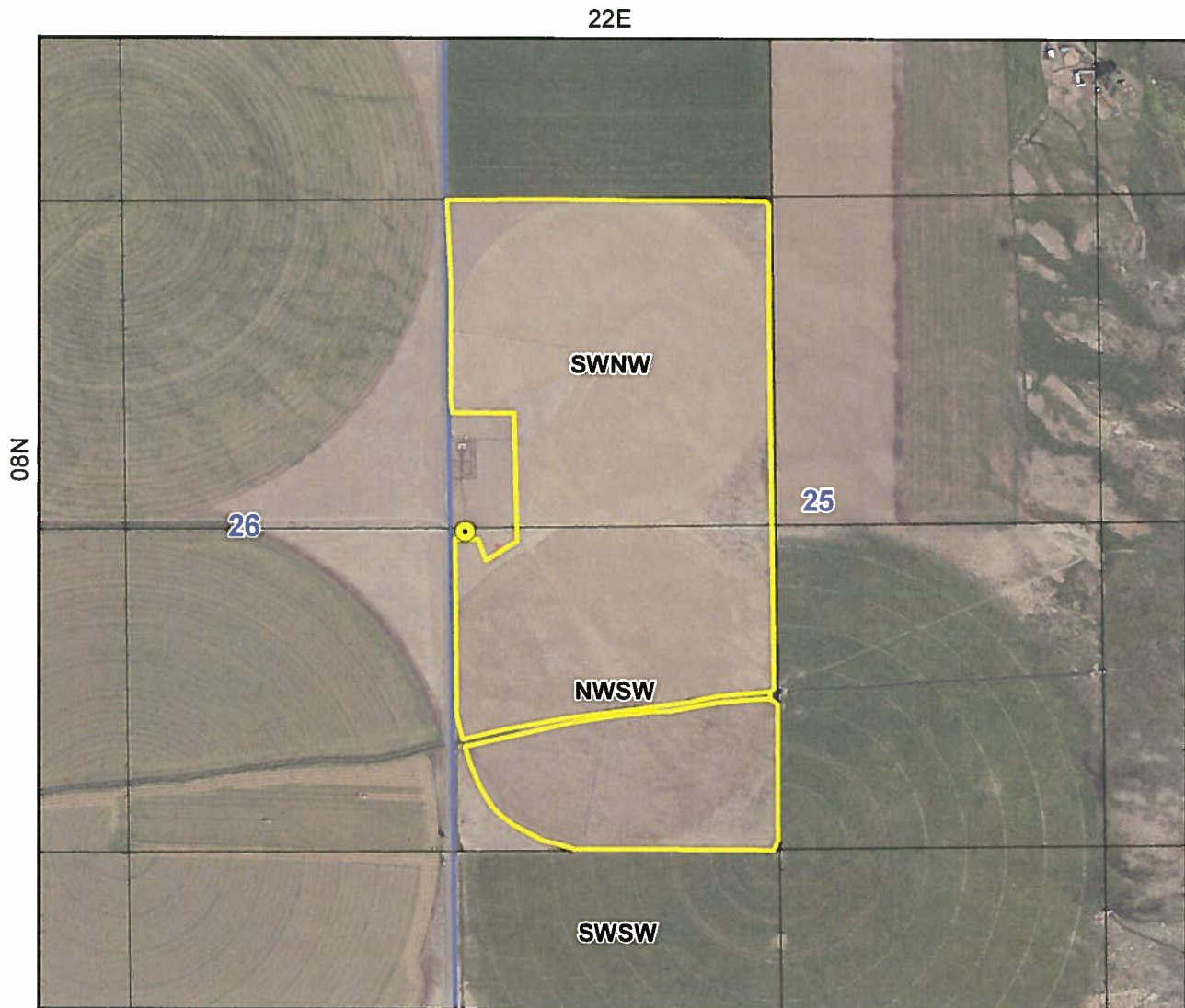
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 24th day of September, 2015.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
34-13763

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 24, 2015

6 X RANCH LLC
C/O BLAKE QUINN
PO BOX 226789
LOS ANGELES CA 90022

RE: License No. 34-13763

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

c: SPF WATER ENGINEERING LLC
WATER DISTRICT #34

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2015, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

34-13763

**6 X RANCH LLC
C/O BLAKE QUINN
PO BOX 226789
LOS ANGELES CA 90022**

**SPF WATER ENGINEERING LLC
C/O PETER COOPER
300 E MALLARD DR STE 350
BOISE ID 83706**

**WATER DISTRICT #34
LUCAS YOCKEY
PO BOX 53
MACKAY ID 83251**



**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Water Right File 34-13763

FROM: Daniel Nelson – Staff Hydrologist

DATE: August 24, 2015

SUBJECT: Licensing Review of Water Right 34-13763

This field exam was performed by Certified Field Examiner Peter Z. Cooper of SPF Engineering Inc. Mr. Cooper reported that 75 acres were irrigated and limited the diversion rate to 1.50 cfs and 262.5 acre feet of water. There are a couple of issues that need to be addressed. Each will be addressed below:

Mitigation:

This permit was issued with the condition that 1.50 cfs and 262.5 af of water for irrigation of 75 acres under water right decree 34-486B be changed to mitigation. A review of water right 34-483B and the associated rights reveal that those water rights have been changed to show the mitigation for this permit. Further mitigation should not be an issue.

Acres:

Mr. Cooper determined that the number of acres irrigated was 75 acres. He determined this by using 2010 aerial imagery from Google. I tried to repeat the shape files Mr. Cooper created, and I could only find 72 acres of irrigation. However, water right 34-483B was decreed with 75 acres being irrigated for this place of use. There is only 3 acres or 4% difference between the acres that I found and the acres recommended by Mr. Cooper. I did not have access to the 2010 imagery, and could only use the 2011 and 2013 imagery to make a determination. Not all of the lands were irrigated in 2011 and 2013, so I was not able to see all of the acres being irrigated in the aerial photos available to the Department. I feel it is acceptable to allow the full 75 acres recommended by the field examiner in this instance, since there was a previous determination by Department staff that 75 acres could have been irrigated on this property.

Diversion Rate:

Mr. Cooper measured the well at 1.87 cfs and supplied a theoretical calculation showing a diversion rate of 1.83 cfs at 24 psi. Mr. Cooper also took a photo of the installed flow meter for this well that was showing a diversion rate of 846 gpm or 1.89 cfs. It appears from the theoretical calculations Mr. Cooper supplied, that the well has either been reworked to supply more than 30 Hp or there is a booster pump on the well or the well was measured while it was being open discharged into a ditch. I was also concerned that the pump was open discharging into a ditch when the measurement was taken.

Generally, pivots are set up to run at 6 to 8 gpm per acre, which would require 396 to 528 gpm for the two 33 acre pivots (66 acres). This would leave approximately 440 to 318 gpm for the corners. The corners only make up approximately 9 acres, so this would be an incredible amount of water for the system. It generally takes 40 to 45 psi to get a hand line to seal up to operate correctly, so the pressure reported by Mr. Cooper concerned me.

The permit is limited to 1.50 cfs or 673 gpm, and that is what Mr. Cooper recommended. This diversion rate does seem more reasonable, but still seems a bit high. In the attached theoretical calculations, it appears as though the system would only operate at 400 to 500 gpm under 40 to 60 psi.

I contacted Mr. Cooper, and he told me by telephone on August 24, 2015, that he had opened up a valve to attain the flow rate for the permit, since the hand lines were not running. In essence this created an open discharge condition for this pressurized system. On August 26, 2015, I sent a letter to Mr. Cooper requesting that an accurate measurement be made on the system under normal maximum operating conditions.

On September 10, 2015, our office received correspondence from Mr. Cooper showing a measurement done with the hand lines in operation. The diversion rate measured with the hand lines on instead of an open discharge situation was 1.69 cfs. This measurement was taken with a system pressure of 34 psi. Most sprinkler systems require a minimum of 40 psi to operate correctly, so I am still a bit concerned about the measurement. However, the photos show the hand line sprinklers in operation along with the pivots operating. A diversion rate of 1.69 cfs is still above the 1.50 cfs allowed by the permit, so I am recommending this permit be licensed for a diversion rate of 1.50 cfs.

Volume:

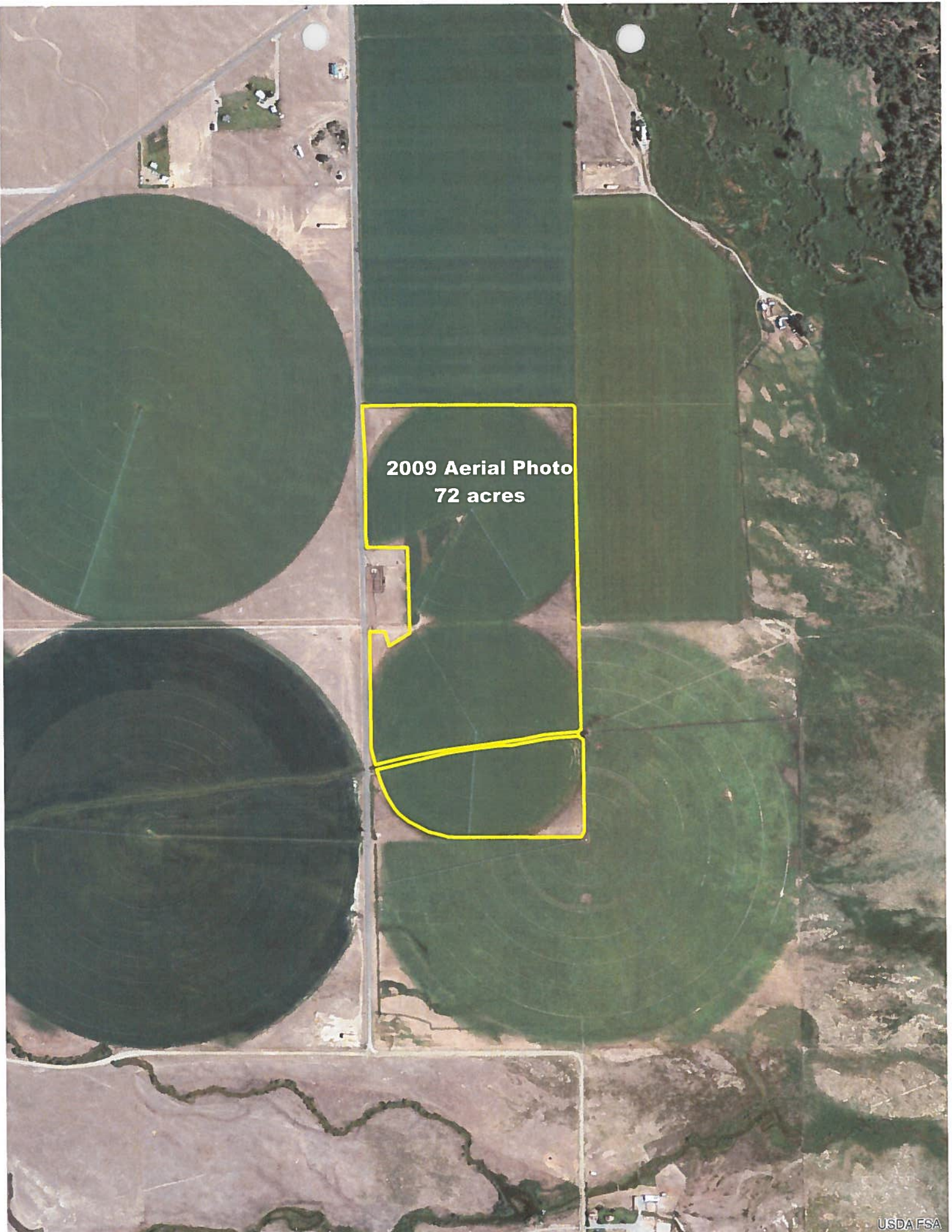
This is an irrigation right with an established headgate requirement of 3.5 acre feet per acre limitation. It has been established that 75 acres were irrigate, so the volume of 262.5 af recommended by Mr. Cooper seems reasonable. As shown in Mr. Cooper's calculations, a diversion rate of 1.50 cfs can supply the volume needed to supply the 262.5 af being recommended in the field exam. I recommend that 262.5 af be licensed for this permit.

Overlapping Water Rights:

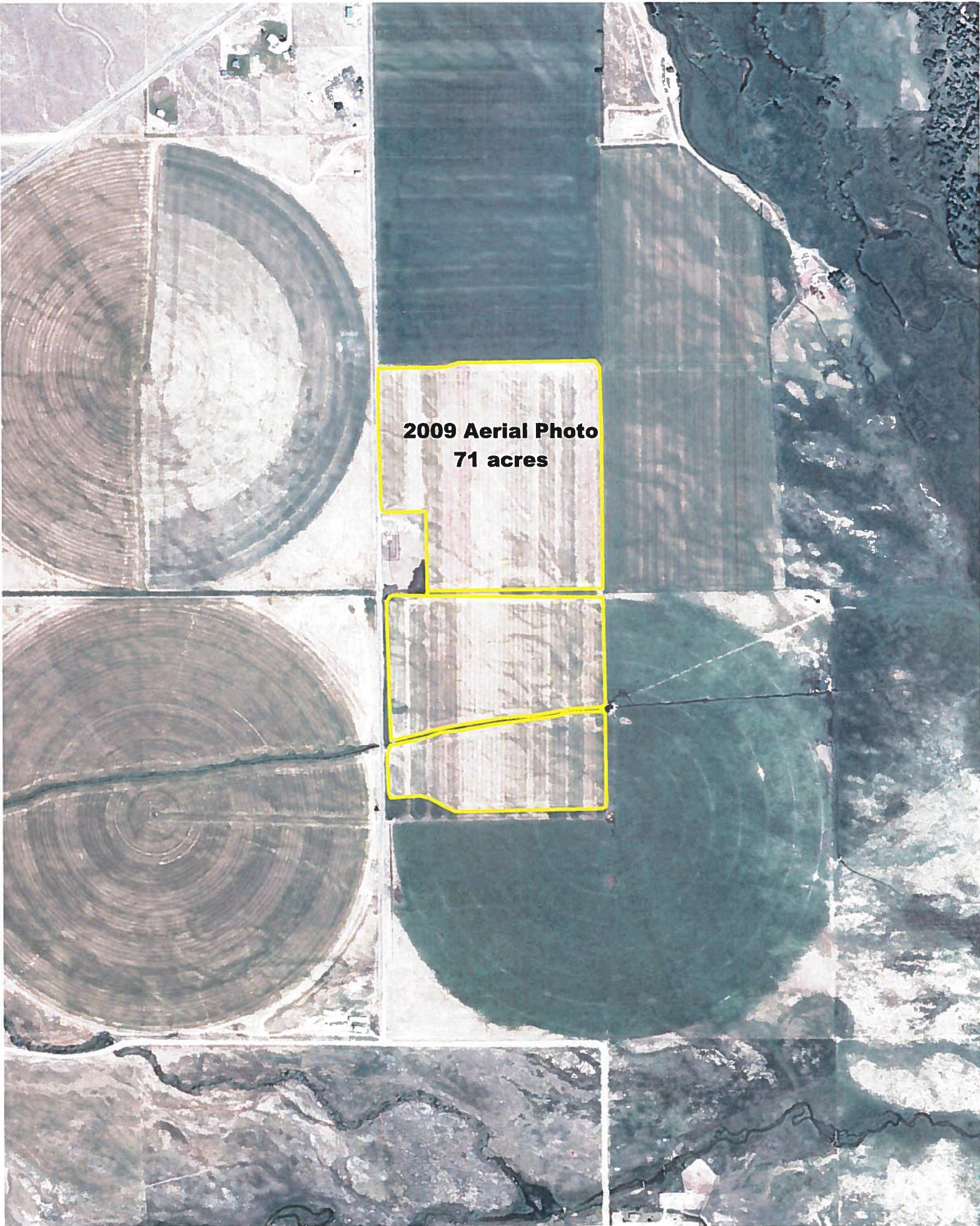
The only overlapping water right for this place of use is the water right being used for mitigation. Therefore, there should be no issues with overlapping water rights.

Conditions:

Conditions 2 (26A), 3 (046), 6 (074) should be removed at licensing. Condition 1 (01J) was changed to R43, and condition 8 (051) has been changed to R55 as is standard. Conditions 5 (R05 and 6 (R63) will remain the on the water right. Condition 4 (170) was prepared by the region, so I didn't change it from the way it was composed on the permit, since had been acceptable to the applicant at the time of permitting.



2009 Aerial Photo
72 acres



2009 Aerial Photo
71 acres

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 34-13763
 Reviewer: Dan Nelson
 Date of Review: 8/24/2015

P/D No.:	Scenario 1	Scenario 2	Scenario 3	Scenario 4
PUMP HORSEPOWER	30	30	30	30
BOOSTER HORSEPOWER	0	0	0	0
PUMPING LEVEL	60	60	60	60
DISCHARGE PRESSURE	27	40	17	60
RATE OF FLOW (cfs)	1.51	1.21	1.86	0.93
	678	544	835	418

The above calculates the formula = $Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes: The field examiner measured the pump at 837.7 gpm and calculated the flow rate at 823 gpm. The field examiner also showed the installed flow meter at 844 gpm. This doesn't seem reasonable. The calculations above shows that in order to achieve the 840 gpm with a 30 Hp pump, the system would need to measured in open discharge type conditions. It seems more reasonable that the system operates at 400 to 500 gpm.

33 acre pivot at 6 gpm = 198 gpm X 2 pivots = 396 gpm
 33 acre pivot at 8 gpm = 264 gpm X 2 pivots = 528 gpm
 9 acres at 0.02 cfs per acre or 9 gpm per acre = 81 gpm

Total Gallons Required = 477 gpm to 609 gpm

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 34-13763
 Reviewer: Dan Nelson
 Date of Review: 8/24/2015

P/D No.:	Scenario 1	Scenario 2	Scenario 3	Scenario 4
PUMP HORSEPOWER	30	30	30	30
BOOSTER HORSEPOWER	0	0	0	0
PUMPING LEVEL	60	60	60	60
DISCHARGE PRESSURE	27	45	17	60
RATE OF FLOW (cfs)	1.51	1.13	1.86	0.93
	678	506	835	418

The above calculates the formula =
$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes: The field examiner measured the pump at 837.7 gpm and calculated the flow rate at 823 gpm. The field examiner also showed the installed flow meter at 844 gpm. This doesn't seem reasonable. The calculations above shows that in order to achieve the 840 gpm with a 30 Hp pump, the system would need to measured in open discharge type conditions. It seems more reasonable that the system operates at 400 to 500 gpm.

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 9 acres at 0.02 cfs per acre or 9 gpm per acre = 81 gpm

Total Gallons Required = 477 gpm to 609 gpm



RECEIVED

SEP 10 2015

DEPARTMENT OF
WATER RESOURCES

September 9, 2015

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Attn: Shelley Keen

*Subject: 6X Ranch, LLC.
Permit No. 34-13763
Beneficial Use Field Report
Response to Dan Nelson 8/26/15 Letter*

Dear Mr. Keen,

I received a letter from Dan Nelson dated August 26, 2015 with regards to an "issue" with the certified field exam that I completed for Permit No. 34-13763 for *6X Ranch, LLC*. In his letter, Mr. Nelson indicated that the measurement I completed as part of the initial field exam was unacceptable and that the system would need to be re-measured.

During the initial measurement, the ranch hands did not have their hand lines out (note that the mainline and risers were present), and I mistakenly assumed a riser could be opened to simulate the hand lines being on without the crew needing to set up the hand lines. After discussing this with Mr. Nelson, I realized that this was a mistake and I should have had the crew set up the lines before my measurement.

On September 8, 2015, I went back to the site to make a second measurement of "maximum flow under normal operating conditions" which included the hand lines and both pivots with end guns (note both end guns are equipped with booster pumps) in operation. My measurement revealed that the hand lines and pivots are capable of operating at a flow rate of 760 gpm (1.69 cfs) at a discharge pressure of 34 psi at the pump station.

In a phone call with Mr. Nelson on August 8, he indicated that since I previously completed a portable ultrasonic flow measurement during the initial exam that confirmed the accuracy of the installed Seametrics flow meter (846 gpm Seametrics flowmeter vs. 838 gpm GE TransPort PT878), I would only need to provide documentation of the flow rate from the permanent Seametrics flow meter. I have attached photos documenting the flow meter reading, system pressure, and photos of the pivots and hand lines in operation.

Based on this second flow measurement at normal operating conditions, permit 34-13763 is again recommended to be licensed for one well at 1.50 cfs and 75 acres.

Please let me know if you have any questions regarding this additional information.

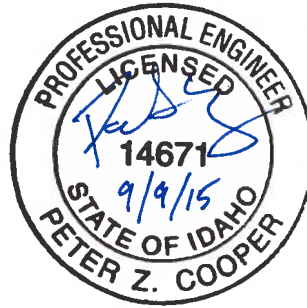
Sincerely,



Peter Z. Cooper, P.E.
Project Engineer
CWRE No. 155

Enclosures

File: 163.0050





Response Photo 1: Flow Meter (680.05 acre-feet/760 gpm) and pressure gage (34 psi) during operation of 2 pivots with end guns and hand lines – prior to walking around site during operation



Response Photo 2: Close up of flow meter display



Response Photo 3: South pivot and end gun operating



Response Photo 4: Hand lines in operation looking south (notice the south pivot in operation in the background).



Response Photo 5 – North pivot and end gun operating



Response Photo 6: Flow Meter (680.06 acre-feet/760 gpm) and pressure gage (34 psi) during operation of 2 pivots with end guns and hand lines – after walking around site during operation

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, September 09, 2015 4:04 PM
To: 'Peter Cooper'
Subject: RE: BUFE 34-13763 Response

Hello Peter,

I am still concerned about the pressure, but with the photos and the measurement, I am convinced that they can operate the system at 760 gpm. I will move forward with licensing of this permit.

Thank you

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

From: Peter Cooper [<mailto:PCooper@spfwater.com>]
Sent: Wednesday, September 09, 2015 2:52 PM
To: Nelson, Dan
Subject: BUFE 34-13763 Response

Dan-

Here is a copy of my response to your letter regarding the unacceptable measurement for the 6X Ranch field exam for Permit 34-13763. With the two pivots/end guns and handlines operating, the system had a flow rate of 760 gpm at 34 psi at the pump station. Everything was able to operate at this pressure and is representative of the normal operating conditions of the system with the hand lines operating.

I will be sending out the hard copy of this today.

Thanks for your help-

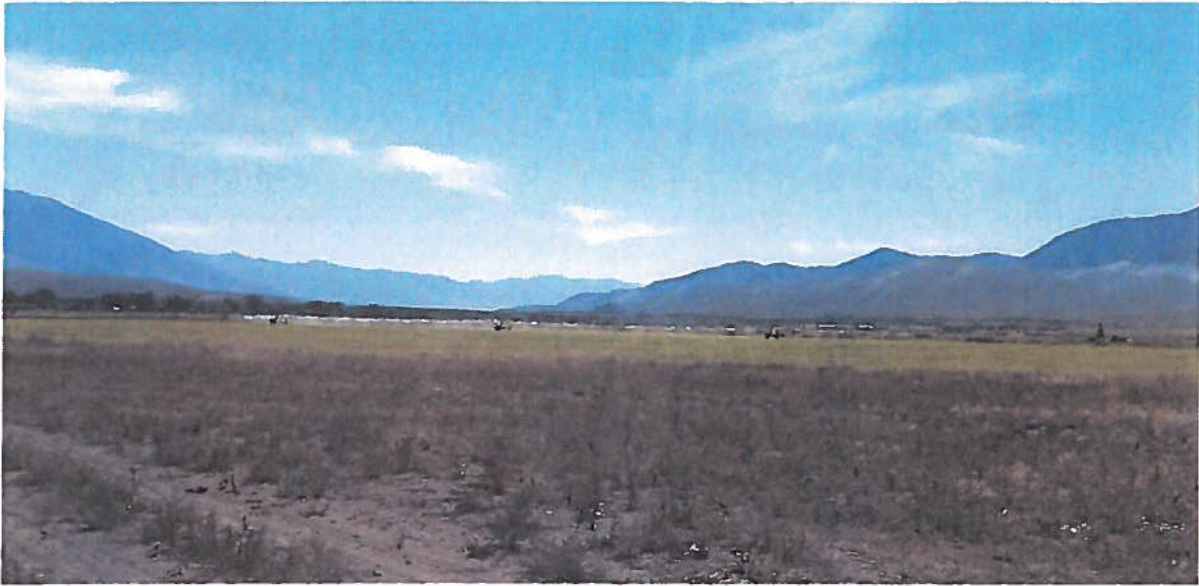
Peter Cooper, P.E. | Project Engineer

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | c. 208.921.7799

e. pcooper@spfwater.com | w. www.spfwater.com



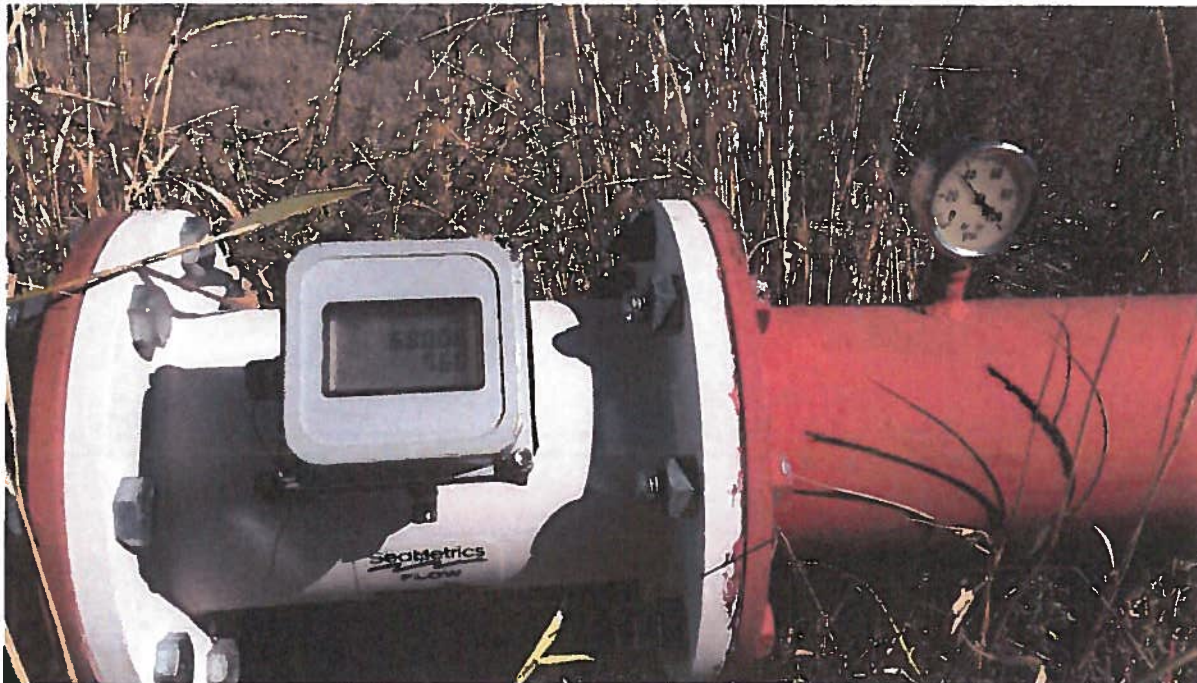
Response Photo 3: South pivot and end gun operating



Response Photo 4: Hand lines in operation looking south (notice the south pivot in operation in the background).



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Response Photo 6: Flow Meter (680.06 acre-feet/760 gpm) and pressure gage (34 psi) during operation of 2 pivots with end guns and hand lines – after walking around site during operation



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 26, 2015

SPF WATER ENGINEERING
ATTN PETER Z COOPER
300 E MALLAD DRIVE SUITE 300
BOISE ID 83706

RE: Field exam for water right permit 34-13763.

Dear Mr. Cooper:

Our office has received your certified field exam for water right 65-22882. There is an issue that needs to be addressed prior to moving forward with the licensing process.

In the field exam report you provided a measurement of the system, theoretical calculation, and a photo showing the owner's flow meter. When I reviewed this data I was concerned how these measurements were attained. The theoretical calculation showed a pressure of 24 psi, 80% efficiency, and a lower diversion rate than what was measured. I have never seen a sprinkler system that could operate with less than 40 psi, especially, when there is a high flow rate end gun on the end of the pivot. The Department generally uses a 70 % efficiency rating for large irrigation pump systems. Sometimes, we can allow higher efficiencies on smaller submersible pumps for homes and smaller commercial pumping systems, but these larger systems with older pumps rarely have that high of an efficiency rating. Even with the exaggerated efficiency and psi reading, your theoretical calculation was still lower than the actual measurement. I performed a theoretical calculation on this system using a standard psi rating of 60 psi and 70% efficiency, and I calculated a flow rate of 0.93 cfs or 418 gpm. This flow rate seems more reasonable for this system.

Typically, pivots are set up to operate at 6 to 8 gpm per acre. At 6 to 8 gpm per acre, these two pivots would only need approximately 396 to 528 gpm for two 33 acre pivots. At an overall diversion rate of 840 gpm, this would leave approximately 300 to 400 gpm for the corners and the end guns, which seems unreasonably high for an additional 9 acres of ground.

Idaho Administration Procedures Act (IDAPA) Beneficial Use Rule 37.03.02.040.02 states the following (emphasis added):

02. Rate of Diversion. The rate of diversion measurement shall be conducted as close as reasonably possible to the source of supply and **shall be measured with the project works fully in place operating at normal capacity.** For example, if a sprinkler system is used for irrigation purposes, discharge from the pump must be measured with the sprinkler system connected.

(7-1-93)

I called you on 8/24/2015, and you informed me by telephone that you had opened up one of the valves to get the diversion rate needed. This practice creates an open discharge system, instead of the normal operation for a pivot and sprinkler system. When the head valve was opened, the system was no longer being measured under normal operating conditions, which explains the low psi rate. This system needs to be measured at the maximum flow under normal operating conditions.

Therefore, the measurement you made appear to be unacceptable. The remainder of the report and the field exam appear to be correct, so we can accept the field exam and field exam report. However, we will need to have the measurement issue clarified before we can move forward with licensing.

Once this issue has been clarified, we can move forward with the review of the field exam, and possible licensing of the water right permit. The IDAPA Beneficial Use Rule 37.03.02.02.02.c states the following:

c. If the Director determines that a field report prepared by a certified water right examiner is acceptable but that additional information is needed to clarify the field report, he will notify the examiner in writing of the information required. If the additional information is not submitted within thirty (30) days or within the time specified in the written notice, the priority date of the permit will be advanced one (1) day for each day the information submittal is late. Failure to submit the required information within one (1) year of the date of the department's request is cause for the Director to take action to cancel the permit.

To avoid advancing the priority date of the permit, you will need to supply a flow measurement under normal operating conditions for this system, or you will need to provide information showing why this system needs to be operated at such a high diversion rate. The information requested above will need to be supplied by September 28, 2015 to avoid advancing the priority date of the water right. If you have any questions, please don't hesitate to contact me.

Respectfully,



Daniel Nelson

Staff Hydrologist

Idaho Department of Water Resources

Telephone (208) 287-4856

Fax (208) 287-6700 (attn: Dan Nelson)

MEMORANDUM

TO: Water Right File 34-13763

FROM: Daniel Nelson – Staff Hydrologist

DATE: August 24 and 25, 2015

SUBJECT: Telephone Conversation Memo With Peter Cooper, SPF Engineering

On August 24, 2015, I called Peter Cooper concerning the measurement taken on the well associated with certified field exam for water right permit 34-13763. In this telephone conversation, I told Mr. Cooper that I was concerned with the measurement taken for this permit. I told Mr. Cooper that I couldn't see how the system could operate at 24 psi without a booster pump for the sprinklers and end gun sprinklers on the pivots. I told him that it has been my experience that hand line sprinklers need at least 40 psi to seal up the pipe connections.

Mr. Cooper told me that he was traveling and didn't have the paperwork in front of him, but he was not aware of any booster on the system. He told me he didn't check the end guns to determine if they were boosted end guns or not. Then Mr. Cooper told me that they opened one of the valves to raise the diversion rate to replicate the amount of water that would have been diverted if the hand lines were in operation. This is what reduced the pressure in the system.

I told Mr. Cooper that this measurement was unacceptable, because we need to have the capacity of the system at operating conditions. Mr. Cooper asked if he could call me back tomorrow when he had the paperwork in front of him, so he could give me better answers. I agreed to wait for him to call me the next day.

On August 25, 2015, I spoke with Mr. Cooper about this situation, and he told me that the end guns did have boosters on them to provide the needed pressure to operate the end guns. Mr. Cooper also confirmed that he did open a valve to simulate the system operating with the hand lines in operation, since they were not being used when he was there. I told him we could not accept this measurement and he would need to re-measure the system. I told him he could take a picture of the installed flow meter if needed.