

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-22252

Priority: August 08, 2007

Maximum Diversion Rate: 0.52 CFS
Maximum Diversion Volume: 75.4 AF

It is hereby certified that DRY LOT LLC
C/O BARKER ROSHOLT & SIMPSON LLP
ATTN TRAVIS THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 08, 2007; and has submitted Proof
of Beneficial Use on June 15, 2015. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/15 to 10/31

DIVERSION RATE
0.52 CFS

**ANNUAL
DIVERSION VOLUME**
75.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4NE1/4 Sec. 20, Twp 03N, Rge 18E, B.M. BLAINE County
GROUND WATER SE1/4NW1/4 Sec. 20, Twp 03N, Rge 18E, B.M. BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 18E 20	1.8	12.0	26.0	34.0				2.0					28.0	11.0		23.0	137.8
03N 18E 21											8.7						8.7
03N 18E 28					2.7	12.0	23.0	4.5	3.9	28.0							74.1

Total Acres: 220.6

CONDITIONS OF APPROVAL

- The use of water under this right is mitigated by the ground water recharge authorized pursuant to water rights 37-22313, 37-22318, and 37-22323. See Transfer 74449. The water right holder shall maintain control of rights 37-22313, 37-22318, and 37-22323 for mitigation purposes.
- By January 31 each year, the right holder shall report to the Department:
 - The volume of water diverted from the authorized points of diversion for each month of the prior calendar year,
 - The number and location (by subdivision lot number) of the acres of land irrigated in connection with this right during the prior calendar year, and
 - The number and location (by subdivision lot number) of the homes served domestic water from the authorized points of diversion pursuant to other water rights during the prior calendar year.
- This right does not grant any right-of-way or easement across the land of another.

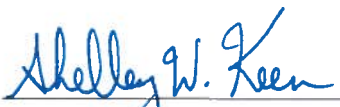
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-22252

4. 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. 37.
5. This right is limited to the irrigation of 27.5 acres of turf grass within the place of use described above in a single irrigation season.
6. The annual volume of water diverted under this right shall not exceed the annual volume of water delivered into the infiltration basin for ground water recharge under rights 37-22313, 37-22318, and 37-22323 as measured at the point of recharge.
7. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
8. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. 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.
10. 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 diversions.
11. Rights 37-4F, 37-8613A, 37-8810, and 37-22252 when combined shall not exceed a total diversion rate of 2.23 cfs.
12. Failure of the right holder to comply with any condition of approval is cause for the Director to revoke this license.

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 15th day of September, 2015.

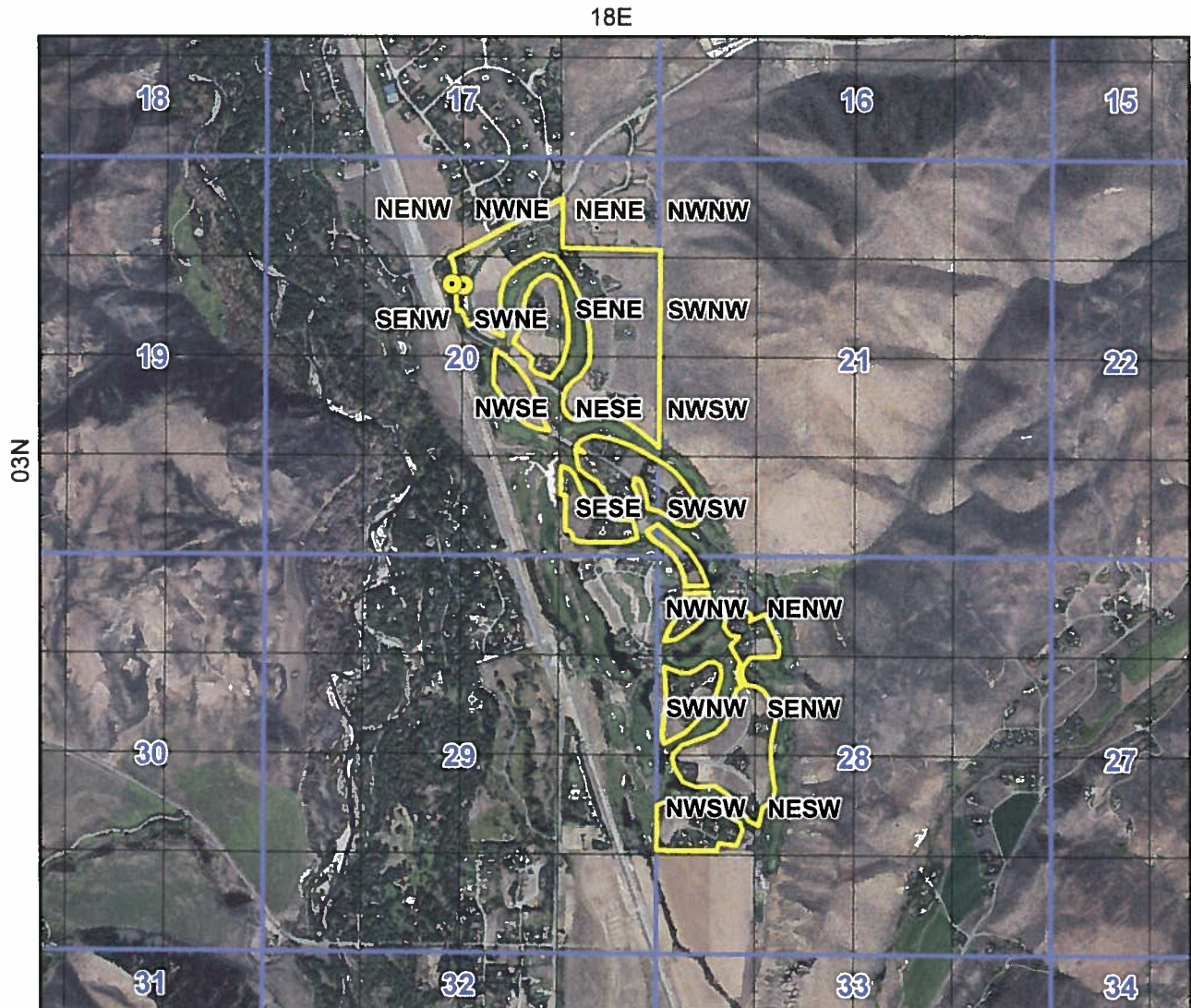

for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment To Water Right License

37-22252

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 0.3 0.6 1.2 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 3, 2015

DRY LOT LLC
C/O BARKER ROSHOLT & SIMPSON LLP
ATTN TRAVIS THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029

RE: License No. 37-22252

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. Also enclosed is a copy of the approved application for amendment.

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)

cc: CHARLES E BROCKWAY
WATER DISTRICT #37

CERTIFICATE OF SERVICE

I hereby certify that on September 4, 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.

37-22252

**CHARLES E BROCKWAY
C/O BROCKWAY ENGINEERING
2016 N WASHINGTON ST #4
TWIN FALLS ID 83301**

**DRY LOT LLC
C/O BARKER ROSHOLT & SIMPSON LLP
ATTN TRAVIS THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029**

**WATER DISTRICT #37
KEVIN D LAKEY
107 W 1ST
SHOSHONE ID 83352**



**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.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-22252

RECEIVED

AUG 27 2015

**DEPARTMENT OF
WATER RESOURCES**

Date of Priority: August 08, 2007

Maximum Diversion Rate: 0.52 CFS

Maximum Diversion Volume: 75.4 AF

Comes now DRY LOT LLC

C/O BARKER ROSHOLT & SIMPSON LLP

ATTN TRAVIS THOMPSON

195 RIVER VISTA PL STE 204

TWIN FALLS ID 83301-3029

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-22252, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	0.52 CFS	75.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW1/4NE1/4	Sec. 20,	Twp 03N,	Rge 18E, B.M.	BLAINE County
GROUND WATER	SE1/4NW1/4	Sec. 20,	Twp 03N,	Rge 18E, B.M.	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 18E 20	1.8	12.0	26.0	34.0				2.0					28.0	11.0		23.0	137.8
03N 18E 21											8.7						8.7
03N 18E 28					2.7	12.0	23.0	4.5	3.9	28.0							74.1

Total Acres: 220.6

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 24th day of August, 2015.



(Signature)

Travis C. Thompson
attorney for Dry Lot LLC

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-22252

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$100 Received by dj # 0100935 Date 8-27-15

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-22252 with the following:

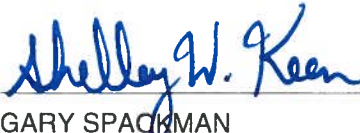
CONDITIONS OF APPROVAL

1. The use of water under this right is mitigated by the ground water recharge authorized pursuant to water rights 37-22313, 37-22318, and 37-22323. See Transfer 74449. The water right holder shall maintain control of rights 37-22313, 37-22318, and 37-22323 for mitigation purposes.
2. By January 31 each year, the right holder shall report to the Department:
 - a) The volume of water diverted from the authorized points of diversion for each month of the prior calendar year,
 - b) The number and location (by subdivision lot number) of the acres of land irrigated in connection with this right during the prior calendar year, and
 - c) The number and location (by subdivision lot number) of the homes served domestic water from the authorized points of diversion pursuant to other water rights during the prior calendar year.
3. This right does not grant any right-of-way or easement across the land of another.
4. 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. 37.
5. This right is limited to the irrigation of 27.5 acres of turf grass within the place of use described above in a single irrigation season.
6. The annual volume of water diverted under this right shall not exceed the annual volume of water delivered into the infiltration basin for ground water recharge under rights 37-22313, 37-22318, and 37-22323 as measured at the point of recharge.
7. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
8. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-22252

9. 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.
10. 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 diversions.
11. Rights 37-4F, 37-8613A, 37-8810, and 37-22252 when combined shall not exceed a total diversion rate of 2.23 cfs.
12. Failure of the right holder to comply with any condition of approval is cause for the Director to revoke this license.

Witness my hand this 31st day of August, 2015.

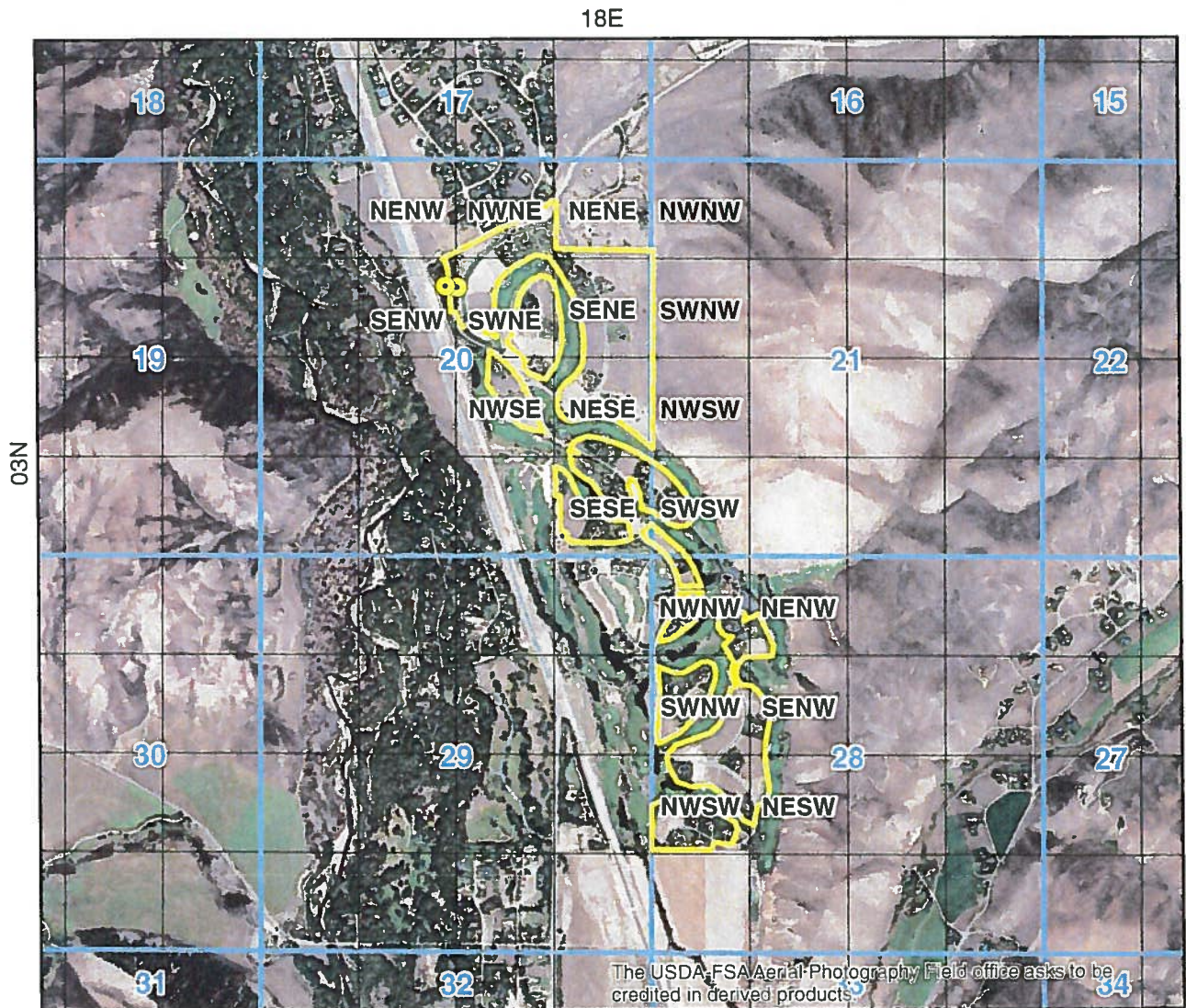

for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment for Amendment To Water Right Permit

37-22252

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 0.3 0.6 1.2 Miles



*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson*



195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 W. Jefferson St., Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Travis L. Thompson
tlr@idahowaters.com

August 24, 2015

RECEIVED

AUG 27 2015

DEPARTMENT OF
WATER RESOURCES

Daniel A. Nelson
Idaho Dept. of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Right Permit No. 37-22252

Dear Mr. Nelson,

Enclosed, please find the executed Application for Amendment regarding Water Right Permit No. 37-22252. Also, enclosed please find check number 1371 in the amount of \$100.00 for the filing fee.

Should you have any questions, please call me at (208) 733-0700.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP

Travis L. Thompson

TLT/jn

Enclosures



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

7/24/2015

GARY SPACKMAN

Director

DRY LOTT LLC
C/O BARKER RSHOLT & SIMPSON LLP
ATTN TRAVIS THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029

COPY

RE: Water Right Permit No. 37-22252

Ladies and Gentlemen:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The certified examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

The point of diversion on the permit states that there are two points of diversion or ground water wells in the SWNE quarter of Section 20, Township 3 North, Range 18 East. Based on the certified examiner's report you supplied, it was determined that one point of diversion is located in the SWNE quarter of Section 20, Township 3 North, Range 18 East and the second point of diversion is located in the SENW quarter of Section 20, Township 3 North, Range 18 East.

The enclosed Application for Amendment form depicts the elements of the water rights as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee by August 14, 2015.

A copy of this letter has been sent to Brockway Engineering for their records. If you have any questions, please contact me.

Sincerely,

Daniel A. Nelson
Staff Hydrologist
Planning Bureau
Idaho Department of Water Resources
Telephone # (208) 287-4856
Email – dan.nelson@idwr.idaho.gov

Enclosure(s)

MEMORANDUM

TO: Water Right File 37-22252

FROM: Daniel Nelson – Staff Hydrologist

DATE: June 24, 2015

SUBJECT: Licensing Review of Water Right 37-22252

This field exam was performed by Certified Field Examiner Charles E. Brockway of Brockway Engineering. Mr. Brockway reported that 27.5 acres were irrigated within a 220.6 acre permissible place of use and limited the diversion rate to 0.52 cfs and 75.4 acre feet of water. There are a couple of issues that need to be addressed. Each will be addressed below:

Wells and Overlap:

Mr. Brockway mentions two wells associated with this permit. The wells are known as the Dry Lot Wells or Valley Club Wells. Both of these wells are for culinary use, so the water associated with them needs to be treated. Well #1 sits inside the pump house, and is also referred to as the West Well. Well #2 sits east of the pump house between Valley Club golf course pond and the road. Both wells have McCrometer flow meters on their delivery systems.

Water right 37-2623 also has a well adjacent to these two wells, and is called the Mizer Well. According to the well records, the Mizer well is on the west side of the golf course pond, and it was drilled for Walker Water Systems. The shape file for water right 37-2623 incorrectly showed the point of diversion as being on the Well #2 (West Well), but the field examiner confirmed it is diverted from the Walker Water Systems Well (please see attached map and spreadsheet for more details). I corrected the point of diversion for 37-2623. No transfer was necessary, since the point of diversion was in the same 40 acre tract, and it was just an error during the transfer process.

Water rights 37-4F, 37-8613, and 37-8810 are diverted out of the two wells operated by Dry Lot Inc. The GIS mapping of the points of diversions for 37-4F, 37-8613, and 37-8810 were not consistent, so it was difficult to tell what was going on. I contacted the field examiner, and Zach Latham from Brockway Engineering called me back and confirmed that there is a single well in the SWNE of Section 20 and a single well in the SENW of Section 20 that diverts water rights 37-4F, 37-8613, 37-8810, permit 37-22252, and another permit 37-21337. **Therefore, an amendment is needed to correct this permit.**

Acres and Overlap:

Mr. Brockway did not provide a map or shape file showing the acres that were irrigated. Instead, he provided a table showing the acres that were calculated for each lot. I reviewed the data, and I became concerned when I found that he claimed Lot 57 was irrigated, but didn't have a home, and that Lot 56 had 0.29 acres of irrigation. When viewed the lots in Arcmap, I found that Lot 57 has had a home on lot since 2004, and that Lot 56 was not irrigated, and didn't have a home. I checked the Blaine County Assessor records, and found that there is still no recorded home on Lot 56.

Therefore, I created a shape file to determine the total number of acres irrigated. Please see the attached table I created from this permit. In this table, I found a total of 52.12 acres irrigated, where the field examiner found 52.75 acres. Water rights 37-8613A and 37-8810 provided up to ½ acre of irrigation on all of the 99 lots in this subdivision, so I found that 37-8613A covered approximately 27.62 acres of the 52.12 irrigated. License 37-8810 was not originally listed on the table supplied by the field examiner, but a review of the file found that it provide water for one more lot at ½ acre per lot to bring the total lots supplied by domestic use from 98 to 99 lots. The field examiner found 23 acres of the 52.8 acres he found irrigated by 37-2613A. I found a total of 27.62 acres irrigated that needed to be covered by this permit and the field examiner found 28.8 acres needing covered by this permit. I feel the difference in the numbers is that some of the golf course goes into a number of these lots. I didn't include the acres I felt were irrigated by the golf course.

The permit allows a total of 27.5 acres of irrigation. I only found a difference of 0.1 acres between my calculations and what was requested in the permit, which could be attributed to a rounding error. The field examiner recommended 27.5 acres within a permissible place of use for the entire subdivision, and I believe this is reasonable. I recommend that the acre amount be limited to 27.5 acres within the 220.6 acre border of the subdivision.

Diversion Rate:

Please see attached spreadsheet for analysis of flow rate.

Mr. Brockway recommended a diversion rate of 0.52 cfs. Mr. Brockway also provided measurements and a calibration of sorts for the installed flow meter on the system.

Typically, we use a 10 minute average to determine the average flow rate by dividing the total gallons by time. However, I wasn't confident in the time increments that were given by the field examiner, so I used an average of the instantaneous flow measurements he recorded for the two units. The averages of the instantaneous flow rates supplied by the field examiner seemed more reasonable than the timed average. Regardless of what measurement is used, the total diversion rate was exceeded by the total diversion rate.

Using the average instantaneous diversion rate, I then calculated the amount of irrigation use from the existing water rights and subtracted that amount from the total diversion rate. I didn't use the total diversion rate including the domestic use, because the majority of the irrigation use would be done at night on these properties when domestic use is at its lowest. There is more than enough diversion rate to cover the irrigation diversion rate for the 37-8613A and this permit. Therefore, this permit can be recommended for a total of 0.52 cfs as recommended by the field examiner and approved by the permit.

When I included the total diversion rate for all of the uses, there was not enough water to supply all of the domestic and irrigation uses from all of the water rights using this well. Therefore, this permit should have a condition that limits the diversion rate to 2.01 cfs when water rights 37-4F, 37-8613A, 37-8810, and this permit 37-22252 are combined. However, water right 37-8810 already has a condition that limits the amount of water for 37-4F, 37-8613A, and 37-8810 when combined to a total of 2.23 cfs. Therefore, the condition will need to be limited to a total combined diversion rate of 2.23 cfs when water rights 37-4F, 37-8613A, 37-8810, and 37-22252 are combined.

Mitigation:

The consumptive use of this right was mitigated through water right transfer 74449 on water rights 37-22313, 37-22318, and 37-22323. Transfer 74449 proposed to place 75.4 af of water from the Big Wood River into a recharge basin to allow 75.4 acre feet of water to be diverted to be irrigate 27.5 acres under this permit. The transfer required an annual report be submitted to show the daily volumes of water being diverted into the recharge basins. The report also required information on the tax lots and the total gallons being diverted from the wells. The tax lots being served by the system, and the flow meter readings from the two wells were in

Mr. Brockway submitted a report for the water diverted into the recharge basin for the years 2011 and 2012, but that report didn't have the daily volumes diverted into the recharge basin as required by the conditions. The report did have the tax lots being served by the system, and the monthly flow meter readings from the two wells. The following year Mr. Brockway submitted a similar report that didn't include the daily volumes of the water being discharged into the recharge basin, but did have the tax lot information and the meter readings from the two wells. Department staff contacted Mr. Brockway, and agreed to not require the immediate installation of the data logger required in the conditions in transfer 74449. Department staff also agreed that Mr. Brockway could supply interpolated data based on the readings his staff made for this system.

The report for the 2014 water year was similar to the earlier reports, and did not include daily volumes diverted into the recharge basins, but did include the tax lots being served and the monthly meter readings from the wells. I sent a letter and email to Mr. Brockway to attain this information. On July 1, 2015, our office received a letter from Zach Latham from Brockway Engineering supplying the daily volume amounts.

Volume:

Please see attached spreadsheet for analysis of volume.

The volume recommended by Mr. Brockway was based on the amount of water diverted to recharge basin, and limited by water right transfer 74449 of 75.4 af. The reports required by the conditions that were submitted provided monthly meter readings of the system. The field examiner did a comparison measurement for the flow rates, which showed a significant difference in the flow rate measured by the field examiner and that collected on the flow meter. I could not find where the flow meters for the system had been calibrated, but I do know that the flow meter used by the field examiner was calibrated in March of this year. Therefore, I have to assume the flow meter used by the examiner is correct, and the installed flow meters are not accurate.

Since there was such a difference in flow rates, I created a multiplier using the field examiner's flow meter readings. I used this multiplier to determine the adjusted annual volume diverted from the system in 2014. When subtracting the existing water rights from the actual volume calculations and the adjusted volume calculations it appears as though the system didn't provide enough volume to cover the entire 75.4 acre feet of water allowed by this permit and the existing water rights. However, the volume for the existing water rights was based on the water needs for a fully developed subdivision. The subdivision has not been fully developed at this time.

Therefore, the annual volume recorded through the flow meters has the potential for increasing as more the lots in the subdivision are filled. I agree with the field examiner that the volume that should be recommended for the licensing of this permit should be the amount of water allowed by water right transfer 74449 and what was actually diverted into the recharge basin. According to the report for the water diverted in 2014, more than the required amount of 75.4 acre feet was diverted into the recharge basin. I recommend that this permit be licensed with annual volume of 75.4 af. There should be no need to have a combined limitation for the volume of water diverted from this system, based on the capacity of the system. A diversion rate of 2.01 cfs can more than supply the volume of water needed when all of the rights are combined.

Conditions:

Conditions 9 (068) and 12 (069) should be removed at licensing. Condition 10 (020) should be updated to the current version. The remainder of the conditions should be carried over to licensing with minor tweaks for editing purposes. The main edits will be removing the "(s)" in the conditions. Condition X35 should be added to limit the diversion rate to 2.23 cfs when water rights 37-8613A, 37-8810, and this permit 37-22252 are combined.

Overlap Analysis for 37-22252

For Well Located in SWNE of Section 20 Township 3 North, Range 18 East. Well was Drilled for Valley Ranch Partners per Well Records

Water Right	Owner	Water Right Type	Diversion Rate in cfs	Volume in af	Acres	Comments
37-4F		Decree	0.09	3.5	1	This right is for ground water from 2 wells and Big Wood River water. The Big Wood River water is used to mitigate the ground water use. A portion of the Big Wood River water remains in the river, and a portion is sent to the Hiawatha Canal to provide for canal conveyance losses. The decree is for Lot 57 of Valley Club Subdivision.
37-8613A		License	1.48	230.3	49	Irrigation use is for 0.98 cfs and 171.5 af for 49 acres within 187.2 acre permissible place of use. Domestic use is limited to 0.50 cfs and 58.8 af for 98 homes located in Lots 1-98 of Valley Club Subdivision. When Rights 37-4F, 37-8613A and 37-8810 are combined, they are limited to 2.23 cfs.
37-8810		License	2.23	4.8	1/2 acre per Lot	0.40 cfs is diverted for domestic use and 2.23 is diverted for fire protection. This permit is owned by Valley Club Owners association Inc. When Rights 37-4F, 37-8613A and 37-8810 are combined, they are limited to 2.23 cfs. All three rights are diverted out of the same point of diversion. Domestic use is for 99 homes, a recreation center, clubhouse and 4 employee housing units. This license was issued to cover the club house and employee lodging and one domestic lot that was not covered under water right 37-8613A.
37-22252		Permit	0.52		27.5	Mitigated by rights 37-22313, 37-22318, and 37-22323 by diverting surface water into an infiltration gallery. Permit states there are 2 wells at this location. Field exam confirms two wells.
37-21337		Permit	0.74			Domestic use for 62 residential connections including 48 homes, 12 community housing units and 2 apartments associated with rural fire station. The irrigation under this right is supplemental to 37-22657 Big Wood River water right. No more than 18.4 acres shall be irrigated.

For Well Located in SENE of Section 20 Township 3 North, Range 18 East. Well was Drilled for Valley Ranch Partners per Well Records

Water Right	Owner	Water Right Type	Diversion Rate in cfs	Volume in af	Acres	Comments
37-4F		Decree	0.09	3.5	1	This right is for ground water from 2 wells and Big Wood River water. The Big Wood River water is used to mitigate the ground water use. A portion of the Big Wood River water remains in the river, and a portion is sent to the Hiawatha Canal to provide for canal conveyance losses. The decree is for Lot 57 of Valley Club Subdivision.
37-8613A		License	1.48	230.3	49	Irrigation use is for 0.98 cfs and 171.5 af for 49 acres within 187.2 acre permissible place of use. Domestic use is limited to 0.50 cfs and 58.8 af for 98 homes located in Lots 1-98 of Valley Club Subdivision. When Rights 37-4F, 37-8613A and 37-8810 are combined, they are limited to 2.23 cfs.
37-8810		License	2.23	4.8	1/2 acre per Lot	0.40 cfs is diverted for domestic use and 2.23 is diverted for fire protection. This permit is owned by Valley Club Owners association Inc. When Rights 37-4F, 37-8613A and 37-8810 are combined, they are limited to 2.23 cfs. All three rights are diverted out of the same point of diversion. Domestic use is for 99 homes, a recreation center, clubhouse and 4 employee housing units.
37-21337		Permit	0.74			Domestic use for 62 residential connections including 48 homes, 12 community housing units and 2 apartments associated with rural fire station. The irrigation under this right is supplemental to 37-22657 Big Wood River water right. No more than 18.4 acres shall be irrigated.

For Well Located in SWNE of Section 20 Township 3 North, Range 18 East. Well was Drilled for Wiker Water Systems per Well Records

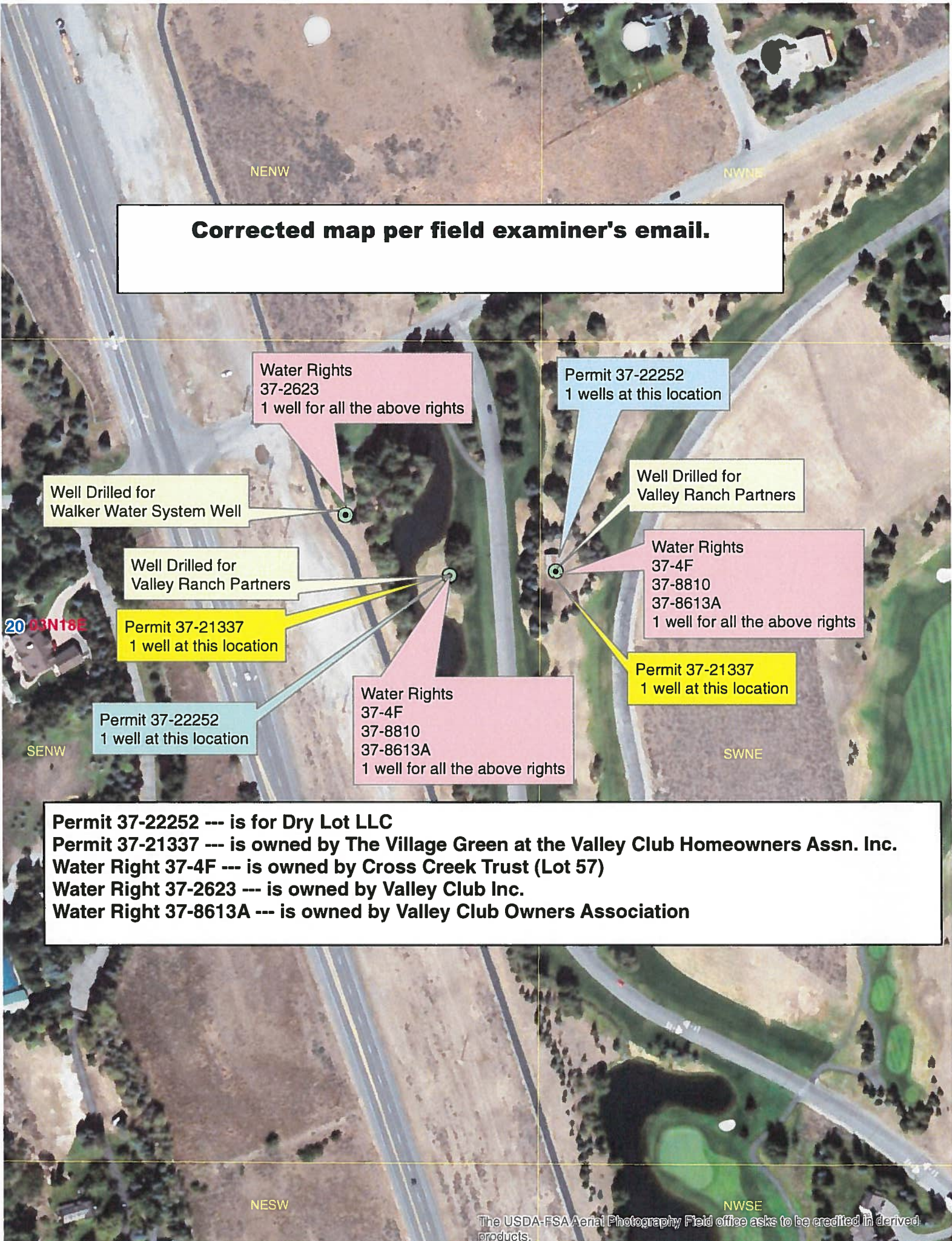
Water Right	Owner	Water Right Type	Diversion Rate in cfs	Volume in af	Acres	Comments
37-2623	The Valley Club Inc.	Decree	2.84	399	133	This right is limited to 133 acres within a 276.2 acre permissible place of use. When surface water rights 37-494, 37-495, 37-577BU, and 37-833K are combined with 37-2623 they are limited to 8.44 cfs and 133 acres of irrigation. Surface water rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, and 37-833K are combined with 37-2623 to irrigate 208.3 acres within a 276.2 acre permissible place of use.

Please Note:

Water rights 37-8613A and 37-8810 supply the in-house use and up to 1/2 acre of irrigation for 99 lots. Permit 37-22252 increases the amount of irrigation that can happen on a portion of those lots. Permit 37-21337 has yet to be licensed, so we will need to address the use established under this permit at licensing.

Originally, the point of diversion in our GIS mapping system for water right 37-2623 was placed on the culinary well drilled for Valley Ranch Partners well in the SENW instead of the Walker Water Systems well where it was supposed to be. The point of diversion for water right 37-4F was located on the Walker Water Systems well instead of the Valley Ranch Partners well in the SENW where it was supposed to be. Permit 37-22252 described 2 wells in the SWNE, but there is only one well in that 40 acre tract and the other point of diversion is actually the Valley Ranch Partners well in the SENW. I contacted the field examiner and clarified how all three wells work. Please see the attached map that shows the corrected well locations for these wells. This was confirmed by the field examiner by email. An amendment is needed to correct permit 37-22252.

Corrected map per field examiner's email.



Well Diversions for Permit 37-22252 Based on Field Report and 2014 Annual Report Data

Field Exam Pump Measurement Data Permit 37-22252

East Well Pump #1

Time	Instantaneous Discharge (gpm)	Total Volume (gal)
9:30		0
9:30:30		
9:31	335	250
9:32	349	689
9:33	348	934
9:34	353	1267
9:35	349	1600
9:36	351	1951
9:37	344	2301
9:38	348	2652
9:39	350	3000
9:40	345	3345
9:42	347	4046
9:44	348	4747
9:46	350	5446
9:48	350	6143
9:50	355	6870
9:52	344	7542
9:54	350	8241
9:56	346	8941
9:58		9646
9:59		10089
Total	Average	Total
29	347.9	10089

Time	Instantaneous Discharge (gpm)	Meter Reading (X100)
		743894
9:30:30	430	
9:31	425	
9:32	425	
9:33	425	743907
9:34	425	
9:35	425	
9:36	425	743920
9:37	425	743923
9:38	425	743927
9:39	425	743932
9:40	425	743936
9:42	425	743945
9:44	425	743953
9:46	425	743962
9:48	425	743970
9:50	425	743979
9:52	425	743987
9:54	425	743995
9:56	425	744004
9:58	425	744012
Total	Average	Total
27.5	425.3	11800

Total Gal / Total Time = 347.9 gpm

Total Gal / Total Time = 429.1 gpm

Percent difference using instantaneous average flow rate =

22.2

Multiplier =

0.78

West Well Pump #2

Time	Instantaneous Discharge (gpm)	Total Volume (gal)
10:35		0
10:36	563	436
10:37	557	985
10:38	561	1544
10:39	553	2101
10:40	549	2656
10:41	555	3341
10:42	551	3767
10:43	551	4341
10:44	553	4958
10:45	551	5428
10:50	551	8186
10:55	553	10957
11:00	549	13704
11:05		16454
Total	Average	Total
30	553.6	16454

Time	Instantaneous Discharge (gpm)	Meter Reading (X100)
10:33		726849
10:35	500	
10:36	510	726854
10:37	510	726860
10:38	510	726865
10:39	510	726870
10:40	510	726875
10:41	510	726881
10:42	510	726886
10:43	510	726891
10:44	510	726896
10:45	505	726901
10:50	505	726927
10:55	500	726952
11:00	500	726978
11:05		727002
Total	Average	Total
30.0	507.1	15300

Total Gal / Total Time = 548.5 gpm

Total Gal / Total Time = 510 gpm

Percent difference using instantaneous average flow rate =

-8.4

Multiplier =

1.08

2014 Annual Report Data on Wells (Page 7)

Well	Beginning Meter	Ending Meter	Total Gallons	Total Acre Feet	Multiplier	Adjusted Acre Feet
#1	107,885,500	154,917,700	47,032,200	144	0.78	113
#2	127,669,200	179,951,100	52,281,900	160	1.08	173
TOTALS				305		286

	Actual Acre Feet	Adjusted Acre Feet
Volume Diverted per Flow Meter =	305 af	286 af
Volume Allowed by 37-8613A =	230.3 af	230.3 af
Volume Allowed by 37-8810 =	4.8 af	4.8 af
Volume available for 37-22252 =	69.9 af	50.9 af

Volume Allowed by Transfer 74449 = 75.4 af

Volume Recharged in 2014 Per Letter Recived on 7/1/2015 with Daily Volume Calculations

Well	Beginning Meter (in m ³)	Ending Meter (in m ³)	Total cubic Meters	Total Acre Feet
4/1/2015 - 5/31/2015	124,718	164,090	39,372	31.9
6/3/2015 - 7/8/2015	164,090	220,191	56,101	45.4
TOTALS			95,473	77.3

The daily volumes recharged match the amounts in the 2014 report except for some rounding differences.

Diversion Measurement Analysis

Well	Standard Meter Instantaneous	Standard Meter Average	Owner's Meter Instantaneous	Owner's Meter Average
#1	347.9	347.9	425.3	429.1
#2	553.6	548.5	507.1	510
Total gpm	901.5	896.4	932.4	939.1
Total cfs	2.01	2.00	2.08	2.09

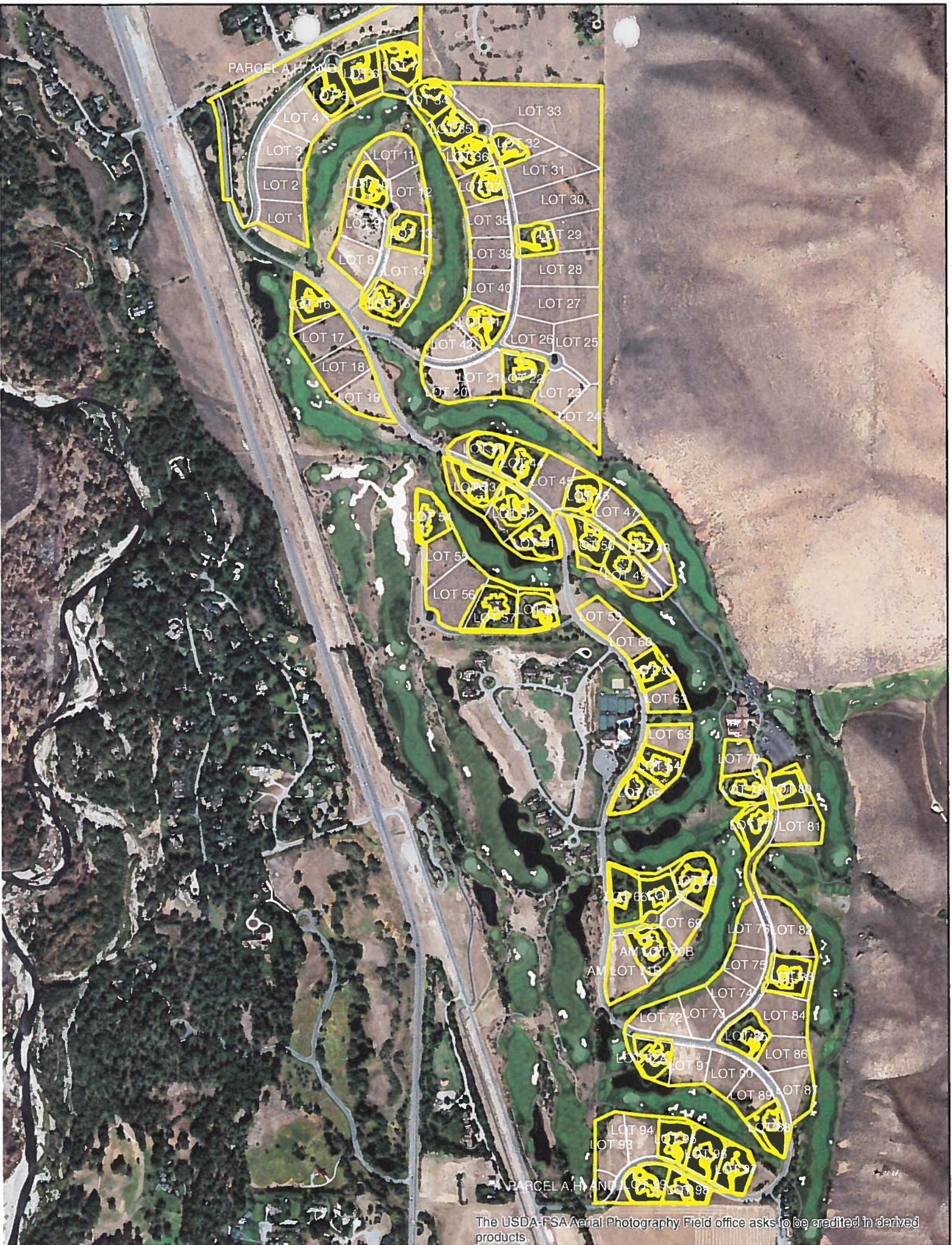
	Irrigation Use	Domestic Use	Total cfs
Rate Diverted per Instaneous Flow Meter readings =	2.01 cfs	2.01 cfs	2.01 cfs
Rate Allowed by 37-8613A=	0.98 cfs	0.50 cfs	1.48 cfs
Rate Allowed by 37-8810 =	0.00 cfs	0.40 cfs	0.40 cfs
Volume available for 37-22252 =	1.03 cfs	1.11 cfs	0.13 cfs

Rate Allowed by Permit = 0.52

The total diversion rate should be limited to the standard meter instantaneous readings of 2.01 cfs. The time used for the average didn't seem accurate, and no datalogger was used, so we should use the standard meter's instantaneous readings. The difference between the high and the low readings was only 4.5% difference, which is well within the 10% Department standard. The system can supply the full diversion rate allowed by the permit. If you look at the total diversion rate for all of the overlapping water rights, there is only 0.13 cfs available for this permit. However, irrigation of yards usually occurs at night when no domestic water is being used, so there should be adequate water to supply the full 0.52 cfs under just the irrigation componets for this water right. I recommend that the permit be limited to 0.52 cfs with a condtion that limits water rights 37-8613A, 37-8810, and 37-22252 to a total diversion rate of 2.01 cfs.

Using the actual readings from the flow meter, they diverted 5.5 acre feet less than this permit allows. The adjusted amount based on the calibration of the flow meter suggests that they used 19 acre feet less than the permit allows. The problem is that this is a recreational community with part time homeowners. I recommend that we use the entire volume of 75.4 af for the irrigation use,

Lots Included in 2014 report	Lot	ACRES	Field Report Acres	0.5 acre irrigation authorized by 37-8613A	1 acre irrigation authorized by 37-4F	Acres Allowed After Existing Rights	Acres allowed per field exam	Comments
X	5	1.28	1.27	0.5	0	0.78	0.77	A portion of this lot is irrigated by the golf course.
X	6	1.35	1.4	0.5	0	0.85	0.9	A portion of this lot is irrigated by the golf course.
X	7	0.93	1.07	0.5	0	0.43	0.57	A portion of this lot is irrigated by the golf course.
								House under construction, no yard irrigation per field exam and confirmed in 2013 aerial photos. It appears as though up to 1/2 acre is available under license 37-8613A
X	9	0	0	0.5	0	-0.5	0	
X	10	0.88	0.92	0.5	0	0.38	0.42	
X	13	1.15	1.19	0.5	0	0.65	0.69	
X	15	0.88	0.85	0.5	0	0.38	0.35	A portion of this lot is irrigated by the golf course.
X	16	1.17	1.16	0.5	0	0.67	0.66	
X	22	1.7	1.18	0.5	0	1.2	0.68	
X	29	0.99	0.98	0.5	0	0.49	0.48	
X	32	0.61	0.6	0.5	0	0.11	0.1	
X	34	0.88	0.9	0.5	0	0.38	0.4	A portion of this lot is irrigated by the golf course.
X	35	1.01	0.99	0.5	0	0.51	0.49	A portion of this lot is irrigated by the golf course.
X	36	0.85	0.85	0.5	0	0.35	0.35	A portion of this lot is irrigated by the golf course.
X	37	0.66	0.71	0.5	0	0.16	0.21	A portion of this lot is irrigated by the golf course.
X	41	0.85	0.84	0.5	0	0.35	0.34	
X	43	1.11	1.12	0.5	0	0.61	0.62	
X	44	1.32	1.34	0.5	0	0.82	0.84	
X	46	0.96	0.99	0.5	0	0.46	0.49	
X	48	0.84	1.01	0.5	0	0.34	0.51	
X	49	1.07	1.15	0.5	0	0.57	0.65	
X	50	1.08	1.09	0.5	0	0.58	0.59	A portion of this lot is irrigated by the golf course.
X	51	1.37	1.3	0.5	0	0.87	0.8	A portion of this lot is irrigated by the golf course.
X	52	0.95	0.93	0.5	0	0.45	0.43	
X	53	1.12	1.19	0.5	0	0.62	0.69	
X	54	1.1	1.19	0.5	0	0.6	0.69	A portion of this lot is irrigated by the golf course.
NO	56	0	0.29	0	0	0	0.29	Field Exam says Lot 56 has a home and has no irrigation, but aerial photos show no home on Lot 56 and according to the Blaine County Assessor, no home has been built on this property. A portion of this lot is irrigated by the golf course, but it isn't from this system.
x	57	1.97	1.76	0.5	1	0.47	0.26	Field exam says Lot 57 doesn't have a home, but is irrigated, but aerial photos show that lot 57 has had a home since 2004. This lot is supposed to also have a portion of water right 37-4F for irrigation of 1 acre. It has been deducted.
x	58	1.3	1.3	0.5	0	0.8	0.8	A portion of this lot is irrigated by the golf course.
x	61	0.93	0.91	0.5	0	0.43	0.41	
x	64	1.09	1.08	0.5	0	0.59	0.58	
x	65	1.31	1.28	0.5	0	0.81	0.78	
x	66	1.76	1.73	0.5	0	1.26	1.23	A portion of this lot is irrigated by the golf course.
x	67	1.05	1.05	0.5	0	0.55	0.55	A portion of this lot is irrigated by the golf course.
x	68	1.34	1.41	0.5	0	0.84	0.91	A portion of this lot is irrigated by the golf course.
x	70B	1.35	1.33	0.5	0	0.85	0.83	This lot is listed as lot 70 on the field exam, but is listed as lot 70B in the tax records.
x	77	0.98	1.01	0.5	0	0.48	0.51	A portion of this lot is irrigated by the golf course.
x	78	1.03	1.1	0.5	0	0.53	0.6	A portion of this lot is irrigated by the golf course.
x	80	0.97	1.04	0.5	0	0.47	0.54	A portion of this lot is irrigated by the golf course.
x	83	1.26	1.16	0.5	0	0.76	0.66	
x	85	1.41	1.42	0.5	0	0.91	0.92	
x	88	1.13	1.16	0.5	0	0.63	0.66	A portion of this lot is irrigated by the golf course.
x	92A	0.97	1.24	0.5	0	0.47	0.74	
x	95	1.12	1.15	0.5	0	0.62	0.65	
x	96	1.35	1.38	0.5	0	0.85	0.88	
x	97	1.29	1.28	0.5	0	0.79	0.78	
x	98	1.02	1.07	0.5	0	0.52	0.57	
x	99	1.37	1.38	0.5	0	0.87	0.88	
TOTALS		52.12	52.75	TOTALS		27.62	28.75	The difference between the field exam and actual irrigation appears to be the discrepancy of irrigation of Lot 56, and the portion of lots irrigated by the golf course that were counted in actual irrigation.



PARCEL A, H, AND I

PARCEL A, H, AND I

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Nelson, Dan

From: Nelson, Dan
Sent: Thursday, July 23, 2015 10:03 AM
To: 'Zach Latham'
Subject: RE: Last Minute Question on Wells for Permit 37-22252

Zach,

When I went to correct the well in the SENW for water right 37-4F, I discovered that water right 37-4F lists 2 wells in the SENW instead of one in the SENW and one in the SWNE. I change the well location in the SENW to the correct well, but a water right transfer will be needed to correct the point of diversion in the water right record to the SWNE. I don't know if you are working with the owner's of Lot 57, but if you are, you may want to let them know that the water right record is incorrect, and they need to file a water right transfer to correct the points of diversion for that right.

This won't affect what we are doing with the permit, but I wanted to let you know in case you are also working with the owners of Lot 57.

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

From: Zach Latham [<mailto:zach.latham@brockwayeng.com>]
Sent: Thursday, July 23, 2015 9:02 AM
To: Nelson, Dan; 'Charles E. Brockway'
Subject: RE: Last Minute Question on Wells for Permit 37-22252

Dan-

Thanks for discussing well locations this morning associated with permit 37-22252. The correct POD's associated with permit 37-22252 are the same wells listed under 37-8613A and 37-8810 on your attached map. Therefore, one of the wells on the BU exam for 37-22252 will need to be changed to NESENW of Section 20, T.3N R.18E. Additionally, 37-4F diverts from the same wells as 37-8613A and 37-8810, so please update your database/records.

Please let us know if you need any additional information, thank you.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-308-0739
f. 208-736-8506
zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Wednesday, July 22, 2015 3:58 PM
To: Charles E. Brockway; zach.latham@brockwayeng.com
Subject: Last Minute Question on Wells for Permit 37-22252

Dr. Brockway and Mr. Latham:

I submitted the permit and license for water right permit 37-22252 for licensing, but I received it back with a request for clarification of the wells. I have included a map that shows 3 wells in this area. There is a question as to which wells are attached to which water rights. This question has come up in the past, but was never really addressed. Since you have been to the site, we are hoping that you could clarify the location of the wells. There may be a need to amend this permit, or amend some existing license. Could you please let me know what water rights are diverted out of which wells?

I am sorry for the inconvenience, but my superiors would like to have this straightened out before we move forward with licensing this permit.

Thank you

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

P.S. I included Mr. Latham in this email, since he sent the last correspondence for this permit.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUL 01 2015

DEPARTMENT OF
WATER RESOURCES

June 29th, 2015

Daniel Nelson
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Dry Lot, LLC Water Right Permit 37-22252 and Water Right Transfer
74449.

Dear Dan,

We received your letter dated June 29th, 2015, requesting daily discharge volumes associated with water right transfer 74449. Please see the attached daily discharge volumes, similar to those submitted to and approved by IDWR in 2014. With this submittal, it is my understanding that you can proceed with the licensing of water right 37-22252.

Please let us know if you have any additional comments or questions, thanks for your time.

Regards,

Zach Latham, M.S., Hydrologist

Enclosures: (1) June 29th 2015 Letter

cc: Woody Freidlander, Dry Lot, LLC
Travis Thompson, Attorney

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

DRY LOT LLC- DAILY RECHARGE VOLUMES

2014 Daily Recharge Volumes Associated with IDWR WR Transfer:

74449, Condition #1.

*Values in **bold** indicate observed values.

Date:	Time:	*Meter Readout (m3):	*Meter Readout (Acre-Feet):	Calculated Daily Volume Infiltrated (Acre-Feet):
16-Apr	1:20 PM	124,718.00	101.11	0.00
17-Apr		126,249.17	102.35	1.24
18-Apr		127,780.34	103.59	1.24
19-Apr		129,311.51	104.83	1.24
20-Apr		130,842.69	106.08	1.24
21-Apr		132,373.86	107.32	1.24
22-Apr		133,905.03	108.56	1.24
23-Apr	12:30 PM	135,436.20	109.80	1.24
24-Apr		136,953.94	111.03	0.00
25-Apr		138,471.69	112.26	0.00
26-Apr		139,989.43	113.49	0.00
27-Apr		141,507.18	114.72	4.92
28-Apr		143,024.92	115.95	1.23
29-Apr		144,542.67	117.18	1.23
30-Apr		146,060.41	118.41	1.23
1-May		147,578.16	119.64	1.23
2-May	2:05 PM	149,095.90	120.87	1.23
3-May		150,604.76	122.10	1.22
4-May		152,113.61	123.32	1.22
5-May		153,622.47	124.54	1.22
6-May		155,131.33	125.77	1.22
7-May		156,640.19	126.99	1.22
8-May		158,149.04	128.21	1.22
9-May	12:30 PM	159,657.90	129.44	1.22
10-May		161,135.27	130.63	1.20
11-May		162,612.63	131.83	1.20
12-May	12:00 PM	164,090.00	133.03	1.20
13-May	Basin Turned Off.		133.03	0.00
14-May		Off.	133.03	0.00
15-May		Off.	133.03	0.00
16-May		Off.	133.03	0.00
17-May		Off.	133.03	0.00
18-May		Off.	133.03	0.00
19-May		Off.	133.03	0.00
20-May		Off.	133.03	0.00
21-May		Off.	133.03	0.00
22-May		Off.	133.03	0.00
23-May		Off.	133.03	0.00
24-May		Off.	133.03	0.00
25-May		Off.	133.03	0.00
26-May		Off.	133.03	0.00
27-May		Off.	133.03	0.00
28-May		Off.	133.03	0.00
29-May		Off.	133.03	0.00
30-May		Off.	133.03	0.00
31-May		Off.	133.03	0.00
*MONTHLY TOTALS:		39,372.00	31.92 AFA	

Date:	Time:	*Meter Readout (m3):	*Meter Readout (Acre-Feet):	Calculated Daily Volume Infiltrated (Acre-Feet):
1-Jul		209,295.40	169.68	1.31
2-Jul	1:52 PM	210,905.80	170.98	1.31
3-Jul		212,453.33	172.24	1.25
4-Jul		214,000.87	173.49	1.25
5-Jul		215,548.40	174.75	1.25
6-Jul		217,095.93	176.00	1.25
7-Jul		218,643.47	177.26	1.25
8-Jul	11:06 AM	220,191.00	178.51	1.25
9-Jul	Basin Turned Off.		178.51	0.00
10-Jul		Off.	178.51	0.00
11-Jul		Off.	178.51	0.00
12-Jul		Off.	178.51	0.00
13-Jul		Off.	178.51	0.00
14-Jul		Off.	178.51	0.00
15-Jul		Off.	178.51	0.00
16-Jul		Off.	178.51	0.00
17-Jul		Off.	178.51	0.00
18-Jul		Off.	178.51	0.00
19-Jul		Off.	178.51	0.00
20-Jul		Off.	178.51	0.00
21-Jul		Off.	178.51	0.00
22-Jul		Off.	178.51	0.00
23-Jul		Off.	178.51	0.00
24-Jul		Off.	178.51	0.00
25-Jul		Off.	178.51	0.00
26-Jul		Off.	178.51	0.00
27-Jul		Off.	178.51	0.00
28-Jul		Off.	178.51	0.00
29-Jul		Off.	178.51	0.00
30-Jul		Off.	178.51	0.00
31-Jul		Off.	178.51	0.00
*MONTHLY TOTALS:		10,895.60	8.83 AFA	
SEASON TOTALS:		95,473.00	77.4 AFA	

Date:	Time:	*Meter Readout (m3):	*Meter Readout (Acre-Feet):	Calculated Daily Volume Infiltrated (Acre-Feet):
1-Jun		Off.	133.03	0.00
2-Jun		Off.	133.03	0.00
3-Jun	10:47 AM	164,090.00	133.03	0.00
4-Jun		165,710.38	134.34	1.31
5-Jun		167,330.75	135.66	1.31
6-Jun		168,951.13	136.97	1.31
7-Jun		170,571.50	138.28	1.31
8-Jun		172,191.88	139.60	1.31
9-Jun		173,812.25	140.91	1.31
10-Jun		175,432.63	142.23	1.31
11-Jun	4:27 PM	177,053.00	143.54	1.31
12-Jun		178,800.47	144.96	1.42
13-Jun		180,413.51	146.26	1.31
14-Jun		182,026.56	147.57	1.31
15-Jun		183,639.61	148.88	1.31
16-Jun		185,252.65	150.19	1.31
17-Jun		186,865.70	151.49	1.31
18-Jun		188,478.74	152.80	1.31
19-Jun		190,091.79	154.11	1.31
20-Jun		191,704.84	155.42	1.31
21-Jun		193,317.88	156.73	1.31
22-Jun		194,930.93	158.03	1.31
23-Jun		196,543.97	159.34	1.31
24-Jun	2:55 PM	198,022.60	160.54	1.20
25-Jun		199,633.00	161.85	1.31
26-Jun		201,243.40	163.15	1.31
27-Jun		202,853.80	164.46	1.31
28-Jun		204,464.20	165.76	1.31
29-Jun		206,074.60	167.07	1.31
30-Jun		207,685.00	168.37	1.31
*MONTHLY TOTALS:		43,595.00	35.34 AFA	



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

06/29/2015

BROCKWAY ENGINEERING PLLC
C/O CHARLES E BROCKWAY
2016 NORTH WASHINGTON STREET SUITE 4
TWIN FALLS ID 83301

RE: Water Right Permit No. 37-22252 and water right transfer 74449

Dear Dr. Brockway:

The Department of Water Resources has reviewed the certified field report for permit 37-22252 and the 2014 annual report required in conditions for permit 37-22252 and water right transfer 74449 on water rights 37-22313, 37-22318, and 37-22323. I have reviewed the field exam report, and it appears to be complete and adequate to proceed with licensing.

However, the conditions on the permit require that diversion of water under this permit is dependent on the compliance of conditions listed on the water rights associated with water right transfer 74449 that require the following:

The right holder shall report the daily volume of water recharged to the Department by December 31 each year.

In 2014, you corresponded with Craig Saxton of this office and the Department agreed not to require immediate installation of a data logger on the recharge site, if you provided interpolated data for the readings your office accumulated throughout the various recharge events. I have included the letters between Mr. Saxton and yourself in 2014 for your reference. **Your 2014 report to comply with the conditions on the water rights associated with water right transfer 74449 does not include the daily recharge volumes.**

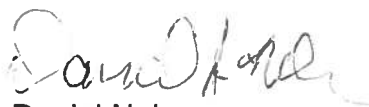
Prior to moving forward with licensing of water right permit 37-22252, the daily volume interpolation data must be submitted for the 2014 recharge event. Failure to comply with the conditions of water rights associated with water right transfer 74449 is cause for the Director to rescind approval of the transfer, and void permit 37-22252. Whereas a certified field exam has been received for permit 37-22252, permit 37-22252 is also subject to the Idaho Beneficial Use Examination Rules.

The Idaho Beneficial Use Examination Rules 37.03.02.035.02.c states that we can give a certified water right examiner an additional 30 days to supply additional information to clarify the field exam report as stated below.

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.

Therefore, please supply the above information by July 29, 2015. If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan Nelson", is written over a faint, larger signature that also appears to be "Dan Nelson".

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

Enclosure(s)