

Prehearing Conference Notes

Application 65-23554—Meta Lind

From: J. Westra

Date: 07/24/14

Attendance: see roster sheet

-The conference began with introductions. The handout sheet which described the purpose of a prehearing conference and evaluation criteria was review with parties.

-The **protestant** presented her concerns:

The area is presently in a drought period—lives on Scanlan Creek dries up in early August (trib. to Middle Frk)

The protest was filed on this application because of concerns regarding the river flow and environment.

Middle Frk. Flow 85.4 % of normal

Member of the community feels there is injury of continued approvals of new applications.

Questions:

What would it take to have the state discontinue new approvals?

Fish & Game input, low flows

What is the 5 year statement on the application?

What is .03 cfs flow?

Why is there more water rights than water in the river?

-Applicant Response

-The middle fork is at normal flow for this time period, however we are in a abnormally dry climate classification period.

-Scanlan Creek flows do not apply to the Middle Fork flow or their application.

- Fishing is good, problems with boater/rafters with leaving trash.

Their application is for dust abatement and fire protection through irrigation of greenery.

-IDWR

-Discussed the Water Board minimum stream flow water rights, and water right priority dates. The Middle Frk. does not have a minimum stream flow water right; however, the south, north, and main Payette do.

Over

Page 2.
Lind

- IDWR is required by statute to place our public water to the fullest economic beneficial value.
- Answered the protestant's questions above.
- Discussed the Middle Frk. is part of the Payette Water District under watermaster control, 6/15 cutoff, mitigate by renting storage water. and prority date curtailment.

-Conclusion

Parties had a good discussion regarding options. The protestant felt she needed more time to determine what she would like to do. All parties agreed that 30 days would be adequate. I will let the applicant know the decision and both parties the next steps in the process- Sept 1. 2014.

IDAHO DEPARTMENT OF WATER RESOURCES

ROSTER OF ATTENDANCE

Pre-hearing Conference

Meta Lind

Application for Permit #6523554

Place: IDWR Western Regional Office

Date: 07/24/14

NAME

ADDRESS

FLORIAN CZARNECKI 433 SANDRA PL, LAQUE 83616

MESA LIND - CZARNECKI — " —

Linda Baker PO Box 124, 200 Brutson Rd
Bladen Valley, ID

Agenda

Prehearing Conference – Meta Lind

Application for Permit #63-23554

Date: July 24, 2014

Location : Dept. of Water Resources, Western Reg.

J. Westra, IDWR

-Introductions-- IDWR

-Purpose of Conference/ Handouts—IDWR

-Issues/Concerns----Protestant

Linda Baker

(Uninterrupted)

-Responses----Applicant

Meta Lind

(Uninterrupted)

-Comments/Questions—IDWR

-Simplify the Issues/Discussion

-Settlement options

-Specific Dates and Deadlines

Hearing

Discovery

Pre Hearing Conference Purpose

- Formulate/simplify the issues*
- Discuss settlements, make settlement offers*
- Address matters that may expedite conduct of the proceeding or settlement*
- Schedule hearings, discovery.*

Evaluation Criteria --Applications for Permit

Pursuant to Idaho Code §42-203A (5)

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply sufficient for the purposes intended?
3. Is the application made in good faith, for delay, or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest? *that is, the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource.*
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

Web References www.idwr.idaho.gov, select forms-rules-statutes

- Idaho Code 42-203A *Protests—Hearings Appeals*
- Rules of Procedure; IDAPA 37.01.01
- Water Appropriation Rules; IDAPA 37.03.08



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USGS 13237920 MIDDLE FORK PAYETTE RIVER NR CROUCH ID

Available data for this site

Time-series: Monthly statistics



GO

Boise County, Idaho

Hydrologic Unit Code 17050121

Latitude 44°06'31", Longitude 115°58'56" NAD83

Drainage area 337 square miles

Gage datum 3,040 feet above NGVD29

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00060, Discharge, cubic feet per second,												
Monthly mean in ft ³ /s (Calculation Period: 1999-10-01 -> 2013-09-30)												
YEAR	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1999										107.4	139.9	150.8
2000	166.3	252.8	405.1	998.3	913.7	436.3	154.5	96.6	107.4	129.0	125.1	136.6
2001	123.0	115.0	260.7	346.8	522.8	212.1	104.2	73.6	73.7	98.7	114.2	113.2
2002	126.4	152.3	294.7	1,033	1,027	676.3	179.3	103.4	91.7	91.1	104.4	120.3
2003	257.5	310.0	494.9	748.4	1,253	924.0	221.0	117.0	85.5	90.2	106.7	144.5
2004	131.5	177.8	547.2	862.3	943.9	599.0	204.7	136.3	123.2	121.3	117.3	144.3
2005	131.4	134.2	260.2	519.6	1,114	533.3	195.3	101.8	83.4	91.5	123.6	266.1
2006	343.4	229.6	513.8	1,857	2,265	944.2	232.6	121.1	108.2	117.1	190.5	170.4
2007	140.8	212.6	531.4	621.2	748.1	281.4	121.5	88.6	87.8	158.1	221.5	161.1
2008	142.0	159.7	304.6	635.5	2,050	1,071	267.7	133.3	111.7	114.3	158.8	114.5
2009	144.5	154.6	350.7	798.8	1,356	745.8	220.9	142.5	102.2	150.7	137.2	120.4
2010	143.2	161.4	263.8	704.6	811.3	1,527	305.0	140.1	109.2	125.9	147.0	178.0
2011	231.7	183.3	400.5	852.0	1,878	1,864	591.5	182.3	125.4	148.4	135.6	137.5

2012	157.9	163.2	644.4	1,757	1,520	807.8	243.1	118.5	92.4	124.8	153.3	431.2
2013	173.2	176.7	291.5	543.6	765.9	333.1	152.9	96.8	125.5			
Mean of monthly Discharge	172	185	397	877	1,230	783	228	118	102	119	141	171

** No Incomplete data have been used for statistical calculation

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