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DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources
Transfer of water right (s)

RECOMMENDATION OF WATERMASTER-

Updated

Application No. 74345
Water Right No.(s) 37- 22876

Applicant's Name:
Watermaster's Recommendation:

- a) I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows:
- c) I oppose approval of this application for the following reasons:

Additional Comment:

Refer to added sheet

Dated
8/5/2014

Water Districts 37

Watermaster Signature

Kevin Lakey

Printed Name

Kevin Lakey

SCANNED

AUG 22 2014

RECOMMENDATION OF WATERMASTER

APPLICATION NO. 79345

WATER RIGHT # 37-22876

APPLICANT'S NAME: Flying Heart HOA

August 5, 2014

IDWR received my Watermaster Comments for this application on June 6, 2014. On July 3, 2014, I met with Chuck Brockway Senior to discuss my concerns with this application. He explained that through this project the lower pond of the Flying Heart system would be reduced in surface area which would hopefully reduce evaporation in the system. We also discussed where the spring sources for water right 37-7767 originated and their connection to the shallow aquifer.

Over the past few weeks I have re-examined my original comments concerning this application. I am encouraged that the lower pond will be reduced in size, but I still have concerns about bringing "new water" to the surface to be subject to evaporation. Although 37-7767 does originate from springs that are directly connected to the shallow aquifer, it is still considered surface water by IDWR. Late in the season during times of scarcity, 37-7767 does not flow through to the Big Wood River. Some of it is lost to seepage back to the Big Wood River aquifer, but some is also lost to evaporation. In essence if we bring more water from groundwater with permit 37-22876 to "supplement" 37-7767 because of its losses, we are admitting that 37-7767 could be considered consumptive. When 37-7767 is completely lost before it reaches the Big Wood, my concern is still that 37-22876 would be providing its own losses to evaporation. If 37-7767 were considered groundwater, further developing the source would not be an issue, but as I stated earlier 37-7767 is considered surface water.

If the lower reaches of the Flying Heart system are rehabilitated, the lower pond is reduced in surface area, the bottom of the pond is sealed somehow to reduce seepage and 37-7767 can make it through the system on its own, then I would have no problem approving 37-22876 to augment flows, because 37-7767 which already exists would be providing all evaporation losses before 37-22876 is added to the system.

Up to this point, I have not mentioned 37-11828, but the same could be said about it as I have said about 37-7767. The combination of these two rights should be providing for all evaporative losses before additional water is added to the system.

If Flying Heart does not want to wait and see whether rehabilitating the lower system will keep the system flowing, yet also wants to continue pursuing 37-22876, I would ask they give up some of their irrigation right 37-8429 as mitigation for losses to evaporation suffered by 37-22876.