



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor

GARY SPACKMAN, Director

June 19, 2014

KRISTY PIGEON & JOHN PRUDDEN
109 GREENHORN RD
HAILEY ID 83333

Re: Water Right Nos. 51-60, 51-61 and 51-62

Dear Kristy and John:

Your June 2, 2014, letter following our meeting shortly before that requested a reply from the Idaho Department of Water Resources (IDWR). Based on that good meeting and your letter, there is no need to modify your existing water rights and/or obtain additional water right approval under the following assumptions.

- Your above referenced rights are partially or completely removed from the Water Supply Bank (WSB).
- You exercise the portion of those rights removed from the WSB in conformance with the water rights. This means no change in diversion point, amount of water, type of use, period of use and place of use.
- You do not impound water diverted under your rights in a pond, wetland or other containment where the intent is a beneficial use not authorized by your rights.
- You do not impound water diverted under your rights in a regulation pond to enhance your authorized irrigation and/or stockwater uses unless the regulation pond can be filled to capacity within 24 hours by your authorized rate of flow. (Regulation ponds are sometimes used to improve irrigation operations where it is "water in/water out" in a 24 hour period during the irrigation season, an act considered part of the natural flow right instead of storage needing additional approval.)
- Finally, any irrigation under your rights should also include use of your available shares from the Hot Springs Ditch Company.

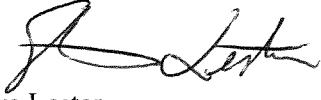
Your letter references a stockwater right from a spring and conveying your irrigation rights through the spring. That sounds odd at first glance but makes more sense in checking 51-13068, a "notice of instream stockwater diversion." That notice is unorthodox but explains how a "spring" can convey water through an unnamed stream resembling a ditch on your property. ("Notice 51-13069" is something similar just northwest of land under 51-60 through 51-62.)

Conveying your irrigation water in this manner after it has been diverted from the river should not need additional IDWR approval since (a) it only conveys authorized irrigation water to its place of use, and (b) you are not seeking more water for additional irrigation or stockwater uses.

Kristy Pigeon & John Prudden
June 19, 2014
Page 2

You would need more water right approval if your uses were outside of the parameters discussed in this letter. I hope this answers all your questions. Please let me know if you need more information in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Lester".

Steve Lester
Water Rights Supervisor