



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

August 23, 2013

GLENN &/OR JOYCE FORD
569 BRENDA LN
CASCADE ID 83611

Re: Permit No. 65-23457 and Application for Permit No. 65-23521

Dear Mr. and Mrs. Ford:

You recently inquired by email regarding the above referenced filings. The Idaho Department of Water Resources (IDWR) provides this response to your questions.

Permit 65-23457

IDWR sent you a certified letter dated June 28, 2013 addressing proof of beneficial use for this permit. The letter provided two options. If you are unable to complete development under the permit by this September 1, you may choose to seek an extension of time to complete the project and file proof of beneficial use later as noted in that letter. Forms are available on the IDWR website at www.idwr.idaho.gov.

Application for Permit No. 65-23521

This application for new irrigation from Rock Creek was filed last August and held by IDWR through no fault of your own, as you noted in your email. As you know, the Allen applications currently being processed are senior to your application, which has been part of the reason for delay in processing your application.

As noted in my February 25, 2013 letter to you, you will need to demonstrate additional water is available from the creek to develop a new viable irrigation beneficial use. Please see the enclosed information for Rock Creek. The spreadsheet identifies current filings. The flow measurement table summarizes data currently available to IDWR. As you can see, there does not appear to be enough water to support a new and viable consumptive use such as irrigation.

Application 65-23521 will be held for one more year pending your submittal of credible information to show the following:

- water supply is sufficient for new and viable irrigation
- new use will not injure other water rights
- new use is in the local public interest.

Glenn and/or Joyce Ford
August 23, 2013
Page 2

You may submit the requested information anytime before **September 1, 2014**. Under IDWR procedures, the application will be voided without a timely written response. Refunds are not issued for voided applications.

Thank you for your attention to these matters. Please contact me at your convenience if you need more information.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", with a stylized flourish at the end.

Steve Lester
Water Rights Supervisor

Enclosure: Rock Creek Rights
 Rock Creek Data

Number	Process	Priority Date	CFS	Source	Water Use	Current Owner
65-3111A	Decreed	6/1/1894	0.05	UNNAMED STREAM	DOMESTIC	WEST MT WATER ASSN INC
65-3111F	Decreed	6/1/1894	0.40	UNNAMED STREAM	IRRIGATION	USA/BUREAU OF RECLAMATION
65-3111X	Decreed	6/1/1894	2.70	UNNAMED STREAM	IRRIGATION	ALLEN RANCH
65-8012	Decreed	4/1/1960	0.02	ROCK CREEK	DOMESTIC	DORMAN
65-2791	Decreed	8/27/1964	0.01	UNNAMED STREAM	DOMESTIC	MORGAN
65-8808	Decreed	5/1/1966	0.04	ROCK CREEK	DOMESTIC	MC CLINTICK
65-10439	Decreed	6/1/1967	0.04	UNNAMED STREAM	DOMESTIC	FORREY
65-1880	Decreed	8/15/1968	0.01	ROCK CREEK	DOMESTIC	CARMONA
65-7272	Decreed	4/13/1972	0.02	ROCK CREEK	DOMESTIC	HINES
65-7453	Decreed	1/4/1974	0.02	UNNAMED STREAM	DOMESTIC	GABICA
65-13088	Decreed	7/26/1989	0.05	ROCK CREEK	DOMESTIC	WEST MT WATER ASSN
65-23457	Permit	6/16/2011	0.04	ROCK CREEK	AESTHETIC	FORD
65-23493	Application	5/9/2012	2.70	ROCK CREEK	IRRIGATION, STOCKWATER	ALLEN RANCH
65-23521	Application	8/23/2012	0.04	ROCK CREEK	IRRIGATION	FORD

NOTES

- 1) Unnamed Stream is Rock Creek (aka Richard Creek).
- 2) West Mt rights 65-3111A & 65-13088 limited to 0.05 cfs combined.
- 3) Total cfs reduced by 2.70 if Allen Ranch Appl 65-23493 is not additive when combined with Allen Ranch 65-3111X.
- 4) Total cfs reduced by 0.05 with West Mt rights combined rate limit.
- 5) USA right 65-3111F appears unused.
- 5) 65-23481 Allen Ranch late claim for Rock Creek & "Little Rock Creek" pending. Court denied irrigation, allowed stock use to be considered (1894 priority, 0.14 cfs).
Late claim does not change or negate Allen Ranch right 65-3111X.

-JC, IOWR 8/23/2013

ROCK CREEK FLOW MEASUREMENTS

DATE	CFS	MEASUREMENT METHOD &/OR NOTES ¹
5/1931	0.80	Allen vs. Withers, District Court Case #484, Valley County
7/1932	1.54	Allen vs. Withers, District Court Case #484, Valley County
5/22/2012	6.40	IDWR estimate at culvert, West Mt. Road, plus 1.70 cfs estimate Upper Allen Ditch
7/10/2012	2.00	IDWR Flow Meter, plus Upper Allen Ditch Flow Meter 0.77 cfs
8/22/2012	0.80	IDWR Flow Meter, average for 2 measurements at 0.73 & 0.87 cfs
8/13/2013	0.69	Payette River Watermaster Flow Meter after Upper Allen Ditch closed ²

Preliminary Conclusions ³

1. Additional water for new uses might be available during peak runoff periods when there is significantly reduced demand and need for water, at least for irrigation.
2. Senior rights 65-3111A (subdivision, 0.05 cfs), 65-3111F (BOR, 0.40 cfs) and 65-3111X (Allen, 2.70 cfs) typically cannot be totally filled during hotter months when there is significantly greater demand and need for water. These rights have the same priority date and are entitled to a prorata share of available water when the supply is insufficient to fully cover these rights.
3. New consumptive uses from Rock Creek would not be viable during these water shortage periods.

sl/memos/rock ck measurements

¹ Measurement/estimate near Upper Allen Ditch unless noted otherwise.

² Watermaster curtailed Water Right 65-3111X at Upper Allen Ditch per IDWR instructions.

³ Not a final IDWR determination as of 8/23/2013.

-SL, IDWR 8/23/2013