

Skaggs, Pam

From: James White [jdwhite@q.com]
Sent: Tuesday, June 04, 2013 7:49 AM
To: Skaggs, Pam
Cc: Steve Wilson; Jim Super; Sarah Gardner
Subject: RE: Wood River Valley Irrigation District #45 & Water Supply Bank Applications for Lease

Pam,

Our board is meeting on June 12. This is on the agenda, as are some other applications recently received.

We will be back to you promptly after formal action at the meeting on the 12th.

Thanks for keeping us in the loop.

Regards,

Jim White,

Sec/Treas WRVID 45

From: James White [mailto:jdwhite@q.com]
Sent: Friday, May 24, 2013 11:23 AM
To: 'Skaggs, Pam'
Cc: 'Steve Wilson'; 'Jim Super'; 'Sarah Gardner'; 'Merritt, Allen'; 'Kevin Lakey'
Subject: RE: Wood River Valley Irrigation District #45 & Water Supply Bank Applications for Lease

Dear Pam,

Thank you for your email below.

I will gather comments from the Board members and get back to you as soon as I can.

Regards,

Jim

From: Skaggs, Pam [mailto:Pam.Skaggs@idwr.idaho.gov]
Sent: Friday, May 24, 2013 8:12 AM
To: James White
Cc: Steve Wilson; Jim Super; Sarah Gardner; Merritt, Allen; Kevin Lakey
Subject: RE: Wood River Valley Irrigation District #45 & Water Supply Bank Applications for Lease

Dear Jim,

Thank you for providing Irrigation District #45 (District) proposed consent for water rights from the District's canal to be leased into the Water Supply Bank (Bank). I have reviewed the letter that describes the District's conditional consent, discussed the two conditions with Department staff, and find that we can only fully agree with #2.

Condition #1 states "During the period that these rights are in the Water Bank and not leased to a third party, the water needs to continue to be turned into the district's system; and...." We are not able to comply with this request. The right cannot be diverted and used by the right holder during the term of the lease. Water cannot be delivered by the watermaster for a right that is leased into the bank because there should be no beneficial use occurring under that right. Only the designated conveyance portion can be delivered to avoid injury to other right holders.

Condition #2 states "In the event any of these rights are leased to a third party, at least twenty percent (20%) of the water needs to remain in the District's system to compensate for conveyance loss." Your explanation in the letter continues to explain this calculation and we concur that this is a reasonable amount for these rights. It reflects the Soil Conservation Service report on this matter and is supported by the Department's recall of conveyance calculations for rights in the District's system. I understand that each right will be evaluated for the appropriate percentage when you review them and will vary depending on their location down the system.

For general clarification regarding Bank processes, a right is leased into the Bank and may be rented out of the Bank by another water user. These terms are often confused by those unfamiliar with the processes. I also would like to share a condition we intend to include on all Bank leases for rights from the District's and other shared canal systems. It is intended to be clear that the designated conveyance losses will continue to be delivered to the original shared canal.

- A portion of leased right(s) <XX-XXXX, XX-XXXX and XX-XXXX> provides conveyance for other right holders in the shared delivery of water through <Irrigation District #45 > canal. To prevent injury to other water right holders, the watermaster shall deliver <0.10 cfs> of the leased right(s) into the <District #45 Canal>. This portion of the leased right(s) shall continue being diverted into the <District #45 Canal> if the leased right(s) are rented and diverted at a different point of diversion.

Please reconsider the District's response to the Boyers and the Cassons lease applications and provide a conditional consent that we can accept and implement. As you know we have other pending lease applications from District water users for their rights, and we want to be able to work with you to meet their needs. With the correct designation of the conveyance through your consent along with the inclusion of this proposed condition on leases we should be able to assist the lease applicants and minimize impact to other District water users.

Please call me directly if you have any questions. I will hold these lease applications for your response.

Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Dept. of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
(208) 287-4951
pam.skaggs@idwr.idaho.gov

From: James White [<mailto:jdwhite@q.com>]
Sent: Friday, May 17, 2013 6:55 PM
To: Skaggs, Pam
Cc: Steve Wilson; Jim Super; Sarah Gardner
Subject: Wood River Valley Irrigation District # 45

Pam,
Please see digitally signed letter from Steve Wilson attached as a PDF and a copy of the letter from the Department of Agriculture, as reference in Mr. Wilson's letter.
I will call you on Monday to be sure that you have received it.
Thank you for your help and consideration.
Regards,
Jim

Skaggs, Pam

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To: 'James White'
Cc: Steve Wilson; Jim Super; Sarah Gardner; Merritt, Allen; 'Kevin Lakey'
Subject: RE: Wood River Valley Irrigation District #45 & Water Supply Bank Applications for Lease
Attachments: L_MAY_17_2013_to_Pam_Skaggs_from_S_Wilson[1].pdf; GaleRoberts19880303.pdf

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Pamela S. Skaggs
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Regards,
Jim

WOOD RIVER VALLEY IRRIGATION DISTRICT # 45

P.O. BOX 2223 • HAILEY, IDAHO 83333

May 17, 2013

Via e-mail to pam.skaggs@idwr.idaho.gov

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
Water Supply Bank
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Re: Applications by the Boyers and the Cassons

Dear Ms. Skaggs,

As the Chairman of the Board of Directors of the Wood River Valley Irrigation District #45 (herein, "The District"), I wish to thank you for notifying us of the applications submitted by the owners of two properties in The District (*i.e.*, the Boyers and the Cassons) to lease their water rights to third parties through the Water Supply Bank.

The Board of Directors has considered the applications of the Boyers and the Cassons and the Board has determined that it is *not* willing to consent to these transaction *except upon the following conditions*:

1. During the period that these rights are in the Water Bank and not leased to a third party, the water needs to continue to be turned into The District's system; and
2. In the event any of these rights are leased to a third party, at least

twenty per cent (20%) of the water needs to remain in The District's system to compensate for conveyance loss.

We believe these are reasonable and appropriate conditions.

As to the first condition above, it is our understanding that throughout the SNRA process, all of these waters have been turned into The District's system. To change that practice now, and prior to any lease of these waters to a third party, would result in an unreasonable injury to the other members of The District.

As to the second condition, these properties are located in the northern portion of Bellevue Farms and are approximately two miles down ditch from The District's main head gate in Bellevue. The Board has based its determination of at least a twenty per cent (20%) retention in The District's system for these two members based on the location of the properties in question and the information provided to The District in a 1988 letter from the U.S. Department of Agriculture, a copy of which is provided for your convenience and files. In the event that other members of The District who also reside in Bellevue Farms apply in the future to place their water rights with the Water Bank for lease, The District will review those applications separately and apply an appropriate percentage retention based on the best available data at the time.

If you have any questions, please contact me at your convenience.

Very truly yours,

Steven J. Wilson

Digitally signed by Steven J. Wilson
DN: cn=Steven J. Wilson, o=High Country
Fusion Company, Inc., ou=HCF, c=US
email=steve@hcfusion.com, c=US
Date: 2013.05.17 09:32:01 -0600

Steve Wilson
Chairman,
Wood River Valley Irrigation District # 45

- c. Barbara and Richard Boyer
Katia and Mark Casson



United States
Department of
Agriculture

Soil
Conservation
Service

P. O. Box 1300
Hailey, Idaho 83333

RECEIVED

MAR 3 1988

Jim Eakin
P. O. Box 296
Bellevue, Idaho 83313

Department of Water Resources
Southern Region Office

Dear Jim:

The purpose of this letter is to confirm the figures we recently discussed concerning the water loss in the District 45 canal.

A report done by the Soil Conservation Service reports a 15% water loss in approximately the first $1\frac{1}{4}$ miles of the canal, and a 27% loss in the next $3\frac{1}{4}$ miles for an average loss of a little over 8% per mile after the first $1\frac{1}{4}$ miles.

Yours very truly,

Gale V. Roberts
District Conservationist

/jlr

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The Soil Conservation Service
is an agency of the
Department of Agriculture