



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 25, 2013

JOSH REED P E
PHARMER ENGINEERING LLC
1998 W JUDITH LN
BOISE ID 83705

Re: Idaho City Water Right No. 63-2627

Dear Josh:

You requested written comments from the Idaho Department of Water Resources (IDWR) regarding construction of a new municipal water storage tank on federal land administered by the BLM. The tank would store water provided by the above referenced water right.

The right authorizes a defined storage volume for an Elk Creek impoundment developed to enhance use of this right. The on-stream storage is limited by a condition of approval stating:

The water stored in the impoundment pool created by the diversion structure on Elk Creek is limited to 0.71 acre feet (approximately 233,000 gallons). This is the quantity of water under a continuous 24-hour diversion authorized by this right.

The water right does not address water stored in a tank. IDWR typically does not consider water in tanks as storage water. Instead, storage water is typically defined as surface water or ground water stored in an excavated pond/reservoir (no berm, dike or dam) or in a pond/reservoir with a berm, dike or dam.

IDWR sees no water right issues for an additional storage tank in this case. Please let me know if you need more information in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Cc: Angela Grimm, P. G., Sr. Water Resource Agent, IDWR Western Region



1998 W. Judith Lane
Boise, Idaho 83705
Phone (208) 433-1900
Fax (208) 433-1901
www.pharmereng.com

June 24, 2013

Angie Grimm
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

JUN 25 2013

**WATER RESOURCES
WESTERN REGION**

Re: Idaho City

Dear Angie:

I am writing on behalf of the City of Idaho City. The City is currently completing infrastructure improvements to the drinking water system. As part of these improvements, a new water storage tank will be constructed on Bureau of Land Management property. Before BLM can finalize the "notice to proceed" the City was required to submit the water rights for the water which will be stored in the tank. The City provided the water rights and BLM found an issue which requires clarification.

City water right 63-02627 does not describe storage limits; however an approved transfer (#71722) contains the following condition: the water stored in the impoundment pool created by the diversion structure in Elk Creek is limited to 0.71 acre feet (approximately 233,000 gallons). Does this statement limit the amount of water which may be stored in water tanks or does it only relate to the impoundment within Elk Creek?

The City would appreciate your opinion on this issue in writing so that it can be submitted to BLM. If you have any questions or need any additional information please feel free to call me at 208.433.1900.

Sincerely,

Josh Reed, P.E.
Pharmer Engineering, LLC