

Merritt, Allen

From: Charles E. Brockway [charles.e.brockway@brockwayeng.com]
Sent: Monday, March 25, 2013 11:08 AM
To: Merritt, Allen; Kevin Lakey; 'Julia Damasco'
Subject: Waiver of Flow Measurement Device-Permmmit 37-22354 Damasco Trust
Attachments: LtrMerriitwaiverofmeasuringdeviceoutlet.doc

Allen: Attached is a letter requesting a waiver for the flow measurement device at the outlet of the Damasco pond required under Condition 9 of permit 37-22354.

By copy of this letter, I am asking Kevin Lakey, Watermaster District 37 to provide his recommendation relative to the request.

Thanks in advance for your assistance. The Damascos are anxious to get this decided.

Chuck

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All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

March 25, 2013

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Subject: Petition for Waiver of Measuring Device, Permit 37-22354

Dear Allen:

The recently approved permit 37- 22354 for the Jude P. and Julia Mandeville Damasco Trust requires, under condition No 9, that an approved discharge measuring device be installed at the outlet of the pond.

The inflow to the pond is diverted from the Hiawatha canal and flow from the outlet of the pond enters into an irrigation lateral which flows westward beneath Buttercup Road and further west to lands north of Hailey in the Northwood Subdivision and to lands owned by David Cropper. In the wintertime, the flow from the pond enters the same lateral but is diverted to recharge areas adjacent to the west side of Buttercup Road and the Blaine County bike path.

I assume that the purpose of the measurement of the outlet flow is to document the change in discharge between the inlet and outlet to assure there are no consumptive losses which are not accounted for in the mitigation plan. The mitigation plan is essentially the dry up of 1.0 acres of irrigated land under water rights 37-297D and 37-20359 which provides 1.3 acre-feet per year for evaporative loss mitigation and decreases the Damasco irrigation diversion from the pond.

The pond has been in use since 1974 and has not been altered since that time except for the construction of a rock overflow at the outlet to the lateral. Inflow includes the diversion from the Hiawatha Canal for water right 37-22354 and irrigation water right 37-297D and WRJ water right 37-20359 and overflow from two of the neighbor's recreational ponds up gradient from the Damasco pond. The irrigation diversion, which can be pumped from the pond into the irrigation system, is under the purview of the Hiawatha Canal Company. There is no feasible hydraulic means to prevent the neighbors overflow from entering the Damasco pond. Since the diversion rate for the Damasco aesthetic, recreation and wildlife water right 37-22354 is 0.74cfs, the irrigation water right diversion from the pond is lower after the deduction for mitigation for the pond and the uncontrolled and variable overflow from the upstream ponds must flow through the Damasco pond, it is likely that the

Allen Merritt-Damasco

net inflow-outflow measurement will be positive for most, if not all, of the year.

Since this pond is not in-canal or in-stream, there is no opportunity for depletion in the flow of the Hiawatha Canal and little likelihood that a net depletion will occur through the pond or that injury to any water right will occur downstream in the lateral. In short, the installation of a measuring device at the outlet of the Damasco pond will not provide any useful information relative to the adherence to conditions of the permit.

On behalf of the Damascos, I am therefore requesting a waiver of the measuring device requirement under Condition 9 of permit 37-22354.

Sincerely,

Charles E. Brockway P.E., Ph.D.

Enclosures

cc: Jude and Julia Damasco
Kevin Lakey, Watermaster District 37