

MEMORANDUM

DATE: April 1, 2013

TO: Water Right File 36-8242

FROM: Shelley W. Keen *SWK*

RE: Sufficiency of Proof of Beneficial Use Statement

In connection with the proof of beneficial use statement submitted by Wendell Cemetery District for Permit 36-8242, I contacted Cindy Yenter, watermaster of Water District 130, to confirm that the required measuring device and lockable controlling works had been installed. Cindy informed me that Wendell Cemetery District had installed a magnetic flow meter last summer and that control could be accomplished by shutting off power and locking the power panel.

I also inquired about compliance with the mitigation requirement. There is no individual mitigation plan in the file, so mitigation must be occur through the North Snake Water Measurement District (NSWMD). Cindy inquired with NSWMD and reported back that the cemetery district had contacted them but had not formally petitioned for membership. NSWMD is going to create an initial assessment, including mitigation charges for the past three years, and send it to the cemetery district today. Meanwhile, IDWR should notify the cemetery district that it has thirty days to comply with the mitigation requirement and notify IDWR, or the permit will be deemed to have lapsed for insufficient proof.



STATE OF IDAHO
WATER DISTRICT 130
C/O IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301-3380
TELEPHONE NUMBER (208) 736-3033
FACSIMILE NUMBER (208) 736-3037

IDWR INTERIM DIRECTOR
GARY SPACKMAN

WATERMASTER
CINDY YENTER
Cindy.Yenter@idwr.idaho.gov

March 30, 2012

WENDELL CEMETERY DISTRICT
PO BOX 71
WENDELL ID 83355

RE: Approved Water Right Permit Measurement Requirements

Dear Water User:

Water Right Permit No. 36-8242 was approved on March 22, 2012. This permit authorizes irrigation at the Wendell Cemetery. Conditions of Approval contained in the permit require you to install and maintain an acceptable measuring device on all points of diversion authorized for the permitted uses.

With few exceptions, all new flow meters are required to be magnetic-type, in-line metering devices which will provide totalized diversion data to IDWR, Water District 130 and/or a local Ground Water District. Variances for existing flow meters in good condition, or for other methods of measurement, are being considered upon request only.

Based on a site inspection I conducted on March 27, 2012, and a conversation with Mr. Paul Isaacson, I have agreed to allow the use of a Power Consumption Coefficient (PCC) to estimate diversions from the Cemetery well during 2012 only. I will measure the well this summer and develop the PCC value, which can also be applied retroactively to no more than 3 years' past power consumption data. IDWR receives power data directly from Idaho Power for certain accounts, and I was able to find records for the Wendell Cemetery well. You will not be required to submit any power records.

Wendell Cemetery will be required to install a magnetic flow meter prior to the 2013 irrigation season. Enclosed with this letter are Water Measurement Requirements and Specifications which will guide you in the selection and placement of your measuring device. Please review this document carefully.

The above permit is junior in priority to two water calls in the Thousand Springs area of the Eastern Snake Plain Aquifer (ESPA). Injury to senior water users is being mitigated by the Idaho Ground Water Users Association, through several local Ground Water Districts. Wendell Cemetery is required to participate in the approved mitigation plan by joining the North Snake Ground Water District (NSGWD), whose office is located in Jerome. Non-participation by any junior water right will be cause for the use of that right to be curtailed by the Watermaster of WD130. Please contact the NSGWD at 208.324.8995 to obtain membership details.

The measurement condition and mitigation requirements appearing on your permit approval will be enforced by the Water District 130 Watermaster. Your failure to install an approved measuring device by the deadline above may result in you receiving a Notice of Violation and a civil penalty from IDWR.



Please contact me if you have any questions regarding flow meter installations or mitigation requirements. I will be contacting Mr. Isaacson in early summer to make arrangements to measure the well. I may be reached at 208-736-3033.

Regards,

Cindy Yenter
Watermaster, Water District 130

cc: North Snake GWD