



## MEMORANDUM

**Date:** September 12, 2012

**To:** File

**From:** Nick Van Dyke

**Re:** Idaho Power's Application to Rent Water from the Water Supply Bank, Right 63-179C

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**Purpose/Narrative:** Idaho Power submitted an application to rent water from the bank on September 12, 2012. The rental will be for 8.4 cfs and 1016 acre-feet for hydropower use at the Brownlee Dam on the Snake River. The rental will be for 2012 only. The right being rented will be 63-179C, which was leased into the bank in August 2012, for 2012 only. 13.92 cfs and 580 acres was leased. This provides enough volume to satisfy the rental.

**Authority to File:** John Bowling, Engineering Leader, and Roger Fuhrman, Manager of Water Management, both of Idaho Power respectively, signed the application.

**Water Right Validity:** 63-179C was partially decreed in April of 2012. 13.92 cfs was leased into the bank for year 2012. There is sufficient water to cover the rental.

**Injury to Other Water Rights:** None anticipated.

**Enlargement of Use:** None anticipated.

**Local Public Interest:** No issues identified.

**Beneficial Use/Conservation of Water Resources:** The rental appears to be consistent with conservation of water resources in Idaho.

**Department Staff or Watermaster Comments:** Rex Barrie, watermaster for district 63, felt comfortable with the rental application if the Department's Planning Bureau was okay with the application. Brian Patton, Chief of the Planning Bureau gave the go ahead to move forward (see 9/10/2012 email correspondence in file).

## Van Dyke, Nick

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**From:** Van Bussum, Monica  
**Sent:** Monday, September 10, 2012 8:25 AM  
**To:** Cresto, Liz; Van Dyke, Nick  
**Subject:** RE: Mason Creek Ditch Co. Water Rental Application

Hi Liz and Nick,

I just got off the phone with Brian Patton and he is comfortable with moving forward on the approval even though measuring the 5-8 cfs at that scale is unlikely. Brian said he has had some conversations with Idaho Power and he thinks they realize we can't definitively measure an amount that small and the gage at Middleton is going to vary greatly, Idaho Power is not going to expect "real delivery" of that water and they're going to realize we're trying.

Nick, we can move forward with the approval. Let me know if you need help drafting it.

Liz, thanks for all your help and comments with this. We're likely to see it again.

Monica

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**From:** Cresto, Liz  
**Sent:** Thursday, September 06, 2012 10:17 AM  
**To:** Van Dyke, Nick; Van Bussum, Monica  
**Subject:** RE: Mason Creek Ditch Co. Water Rental Application

Nick,

We can put this right in the accounting model and have it work on paper but being able to say an additional 8.4 cfs made it out of the Boise River is difficult if not impossible. Because the water is to stay in the river and not being diverted down a controlled headgate it is extremely difficult. The point of delivery for this lease would be the Middleton gage. Below Middleton there is enough return flows to satisfy irrigation demands. If the 8.4 cfs makes it to Middleton then we know it will make it out of the Boise drainage. Rex tries to maintain a constant 250cfs at Middleton. If this lease went through the goal would be a constant 258 cfs at Middleton. First off the gage error is approximately 10% or 25cfs so they're asking to deliver additional water within the error of the gage. Although he tries, Rex is not able to maintain a constant 250cfs at Middleton. If you look at the actual gage readings from 8/15 to 9/5 flows have varied from 207 cfs to 299 cfs. Given that the flows have varied by 92 cfs during that time period, we would never really know if an additional 8 cfs was delivered. In theory Rex can call for the additional 8 cfs to be released from Lucky Peak but we won't really know if it made it out of the Boise River.

I talked with Jon Bowling a couple weeks ago. He is well aware of the limitations of being able to actually deliver the right.

I have a question about the 8.4 cfs. I'm assuming the 8.4 cfs is the water right from the Stewart Decree. Right now we are delivering the Stewart Decree rights at 60% of their decreed rate. So the 8.4 cfs would actually be cut to 5.04 cfs. The flow will come back up from now until the end of October so at some point they could receive the full 8.4 cfs. Am I correct in assuming that the right will be subject to the 60% cut?

Liz

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**From:** Van Dyke, Nick  
**Sent:** Thursday, September 06, 2012 9:51 AM  
**To:** Cresto, Liz

**Cc:** Van Bussum, Monica  
**Subject:** FW: Mason Creek Ditch Co. Water Rental Application

Liz,

Attached is Idaho Power's application to rent Mason Creek's right that recently was leased into the bank. Monica and I are kind of deferring to you on whether this is doable with the Middleton Gage issue. I believe the last we spoke you said you might be able to make it work on paper, but in actuality this probably can't be administered.

Nick.

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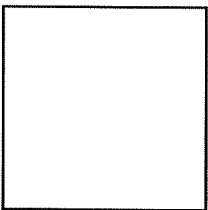
**From:** Bowling, Jon [<mailto:JBowling@idahopower.com>]  
**Sent:** Thursday, August 30, 2012 4:19 PM  
**To:** Van Dyke, Nick  
**Cc:** Patton, Brian; Cresto, Liz  
**Subject:** Mason Creek Ditch Co. Water Rental Application

Attached please find Idaho Power's application to rent Mason Creek Ditch Co. water from the IWRB Water Bank.

Please let me know if you have any questions.

Jon

Jonathon C. Bowling, P.E.  
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