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MAY 03 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 37-22672
Amended

1. Name of applicant(s) Kathleen and/or William R. Ratliffe Phone 580 780 2972
Name connector (check one): ☐ and ☐ or ☐ and/or
- Mailing address: 21165 SW Killamey CT. City Tualatin
State OR Zip 97062 Email: _____
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
02N	19E	31	4	SW	SW	SW	Blaine	Ground Water	Existing well

4. Water will be used for the following purposes:

Amount .075 cfs for Irrigation purposes from 4/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) .075 cubic feet per second (cfs) and/or (b) 15.4 acre-feet per year (af).

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Existing well and pump
- b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.
For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? circa 1978; drilling firm Unknown
Well was drilled for (well owner) Unknown; Drilling Permit No. _____

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MAY 08 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. CK needed not needed
- d. Domestic; show number of households _____
- e. Other; describe fully. Well water will be used for irrigation of 4.4 acres. Diversion of water from the Big Wood river under Water right 37-577BY will be utilized as mitigation.

8. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	19E	31											4.4						4.4

Total number of acres to be irrigated: 4.4

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 37-20450

10. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. See Mitigation Plan attached

12. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

William R Ratliff
Signature of Applicant

William R Ratliff
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by ADN Date 5/8/2012 Time _____ Preliminary check by _____

Fee \$ 100.00 Received by ADN Receipt No. 5032545 Date 5/8/2012

C.S.

5032279

12/23/2011



Ratliffe- Mitigation Plan for Permit Amended

To: Mr. Allen Merritt, IDWR Southern Region Office
From: Charles E. Brockway, Zach Latham
Cc:
Date: April 20, 2012
Re: Ratliffe Water Right Permit Application- Ground Water Permit with Surface Water Mitigation

This memo serves as a mitigation plan for the permit filed on behalf of William and Kathleen Ratliffe whose intent is to use Big Wood River water right 37-577BY as mitigation for a concurrently filed permit which seeks to allow ground water diversion of .075 cfs (33.7 gpm) for irrigation of 4.4 acres on the Ratliffe property in Bellevue, Blaine County Idaho. Ground water right 37-20450 is also owned by the Ratliffes and water used for irrigation and domestic use for one home is diverted from an existing well in the SWSW T.02N R.19E SEC.31 on the Ratliffe property. The discharge rate on water right 37-20450 is 0.06 cfs for irrigation of 5.0 acres with a decreed priority date of 6/22/1978. Both water rights have been recommended to the SRBA court and have a combined limit of 5.0 acres for irrigation use on the property.

Surface water right 37-577BY is currently recommended in the SRBA with a priority date of 3/24/1883, with 0.10 cfs authorized to be diverted from the Big Wood River from 4/15 through 10/31 for the irrigation of 5.0 acres on Lot 4, SWSW T.02N R.19E SEC.31. Although 37-577BY has historically been diverted from the Big Wood River into the Cove Canal in T.02N R.18E SEC.16 NESE for irrigation on the Ratliffe property, the termination of the Cove canal north of Bellevue prohibits delivery of water right 37-577BY to the Ratliffe property at this time. Therefore, a permit is being filed on behalf of the Ratliffes which proposes to forgo diversion of 0.10 cfs in the Big Wood River as mitigation for the diversion of .075 cfs from the existing well listed under 37-20450 on the Ratliffe property. Because the surface water conveyance ditch is inoperable and cannot physically allow delivery of water right 37-577BY to the Ratliffe property, mitigation of ground water extraction using the 37-577BY right is required. Under this permit, water would no longer be diverted from the Big Wood River at the point of diversion associated with water right 37-577BY.

IDWR will allow the use of surface water for mitigation of ground water withdrawal in instances where surface water delivery is unavailable, leaving the owner of the water right no other option but to apply for a permit to divert ground water as the primary means of delivery. This assumes that the proposed mitigation does, in fact, fully mitigate for any change in ground water withdrawal.

The Ratliff property is Lot 21A Muldoon Ranch Subdivision No 2 located on the south side of the City of Bellevue and more specifically it is Lot 4 Section 31 T02N R19E. The existing well from which water right 37-20450 is diverted is located on the property as shown on the accompanying aerial photograph(Figure 1). The NAIP 2011 aerial photo shows approximately 4.4 acres of the 5 acre property either currently or previously irrigated. Since the well has been utilized for irrigation because the surface water right cannot be secured, the diversion rate for the irrigated area is proposed to be limited to about 7.5 gpm/acre which a reasonable rate for sprinkler irrigation. It is therefore proposed for the proposed ground water permit with mitigation that the discharge rate be 0.075 cfs and the acre limit be 4.4 acres.

Ratliffe will provide the full 0.10 cfs of the surface water right for mitigation of the ground water diversion. It is proposed to provide 0.02 cfs for carrying water in the Cove Canal and forgo diversion of 0.08 cfs from the Big Wood River. This provision is consistent with IDWR policy to assure no injury to remaining users in the canal. This leaves an additional 0.08 cfs in the Big Wood River from Hailey downstream and decreases the decreed water right diversion from 0.10 cfs from the Big Wood River to 0.075 cfs from ground water or a 25 percent reduction in diversion. This decrease in diversion rate provides additional flow in the Big Wood river and enhances the river discharge from the Cove Canal diversion downstream. The historical ground water diversion at the Ratliffe well under water right 37-20450 is assumed to be equal to the licensed discharge rate of 0.06 cfs and the historical net aquifer depletion is assumed to be equal to the consumptive use on turf grass of 702 mm/year or 2.30 af/a on 4.4 acres or 10.12 acre feet per year total. Diversion of water right (37-577BY) into the Cove Canal headgate from the Big Wood River apparently ceased at the end of the 1990 irrigation season or when the Cove Canal was blocked off at Bellevue. Water master records show diversions under this right to the former owner, Buchanan, through water year 1990 and no diversions since 1990 to subsequent owners or to Ratliffe.

Deferring diversion of 0.08 cfs over a 180 day irrigation season leaves 28.5 acre feet in the river.

Ratliffe and predecessors have been irrigating from the ground water well (water right 37-20450) about 4.4 acres since about 1978 resulting in the net depletion from the aquifer of 10.12 acre feet per year. Increasing the proposed diversion from the well to 0.075 cfs from the 0.06 cfs allowed under 37-20450 will not increase net aquifer depletion over the historical depletion of 10.12 acre feet since the total irrigated acreage has not increased. Any water pumped in excess of the current and historical consumptive use will return to the aquifer. A report by Brockway Engineering PLLC included a ground water flow model of the Big Wood River aquifer from East Fork downstream to Bellevue (Development of a Groundwater Flow Model for the Big Wood River Aquifer: East Fork to Bellevue, 2009). This report showed aquifer underflow at Bellevue to be about 20,830 acre feet per year (28.8 cfs). The net historical depletion of the aquifer from pumping of the Ratliffe well since 1978 and proposed depletion with this proposed permit (10.12 af) is 0.05% of the aquifer flow. The impact of that magnitude of depletion cannot be modeled. The increase in diversion rate to 0.075 cfs will allow some flexibility in irrigation management on the property but provide only 0.017 cfs/acre (0.85 miners inches/acre) or less than the normal 0.02 cfs/acre(1.0 inch/acre).

The net effect of the proposed permit and mitigation is to essentially maintain the water balance in the aquifer relative to the ground water use. There is a concern for a decrease in carrying water in the Cove Canal as a result of decreasing the diversion by 0.10 cfs. Therefore, it is proposed to leave 0.02 cfs in the Cove Canal to maintain remaining water rights equal to the historical flow as it has been since 1990.

In any case, the proposed decrease in diversion to the Cove Canal will increase the flow in the Big Wood River from the Cove Canal headgate downstream. According to the Watermaster, District 37 there are 20.75 cfs of recommended or decreed water rights in the Cove Canal. The allowed diversion of 0.10 cfs under water right 37-577BY is equal to 0.48% percent of the total allowed diversion into the Cove Canal. An estimate of the seepage loss in the Cove Canal from the Big Wood diversion downstream to Bellevue (4 mi), using a seepage rate of 2 ft/day and a width of 6 feet is 3.5 cfs or 17% of the total water rights in the canal. If the transmission loss in the Cove Canal from the Big Wood River diversion to the current end of the canal (4 miles) is the estimated 17% of the diversion rate, then the transmission loss attributable to the diversion of 0.10 cfs under 37-577BY is 0.017 cfs(0. 85 miners inch) or less. This difference in discharge rate is not measureable by the Watermaster.

Studies by the USGS (J. Morland, , Ground Water-Surface Water Relations in the Silver Creek Area, Blaine County, Idaho, 1997) show that the aquifer underlying the Ratliffe property is the alluvial system which extends south and west to the Big Wood River(Figure 2). This study also shows that the Big Wood River gains water from the aquifer from Bellevue downstream to Glendale at the diversion of the Baseline Canal and the Banning Canal (Figure 3) The seepage loss from the Cove Canal enters the aquifer and moves down gradient toward the Ratliffe well and can eventually return to Silver Creek or the Big Wood River in the gaining reach above Glendale. Studies by the Idaho Department of Water Administratin (Chapman et al, 1972) show the water table configuration south of Bellevue and outline a ground water divide which purports to delineate the west part of the aquifer as tributary to the Big Wood River and the east part to Silver Creek. That divide is shown to occur about 2 miles south of Bellevue. Skinner et al, (2007), Frenzel (1989), and Smith (1956) show similar water table contours and data. Water table contours prepared by Morland(Figure 2) show the downstream and south westerly gradient in the aquifer which supports the gaining reach measurements and the opinion that the proposed pumping at the Ratliffe property and the proposed mitigation will not impact existing diversions and can enter the Big Wood River above Stanton Crossing.

Mitigation of the proposed ground water permit with the 3/17/1883 water right from the Big Wood River will improve the priority of the right and assure that irrigation can occur from the well at the 0.075 cfs rate whenever the 37-577BY water right is in priority. It is proposed that the 0.1 cfs allowed diversion under water right 37-557BY be dedicated to mitigation of ground water pumping under this permit and mitigation of Cove Canal carrying water . A reasonable rate of loss in the Cove Canal is seventeen (17%) percent of the 0.1 cfs or 0.02 cfs. The 0.02 cfs would be dedicated to carrying water in the Cove Canal with 0.08 cfs remaining in the Big Wood River. The seepage loss of 0.02 cfs, which would amount to about 7.1 af during a 180 day irrigation season would enter the aquifer immediately up-gradient of the Ratliff well and would, in effect, mitigate for most of the aquifer depletion attributable to the Ratliff ground water diversion.

The Watermaster would essentially assure that the 0.08 left in the river would not be diverted by junior surface water right holders upstream of a point in the river where any impacts from ground water pumping at the Ratliff property were manifested. This assures that the additional flow in the Big Wood River is utilized to meet senior water rights downstream.

Water use for irrigation from the existing well would be administered by the Watermaster, District 37 and an acceptable flow meter would be installed on the well.

The existing ground water right 37-20450 will not be withdrawn. The decreed ground water right will allow continued extraction from the aquifer in case there are any concerns about local

aquifer impacts attributable to the new permit which will be valid for diversion anytime the surface water right 37-577BY is in priority.



**WATER RESOURCES
OF THE
BIG WOOD RIVER—
SILVER CREEK AREA,
BLAINE COUNTY, IDAHO**

IDAHO DEPARTMENT OF WATER ADMINISTRATION

WATER INFORMATION BULLETIN NO. 28

NOVEMBER 1972

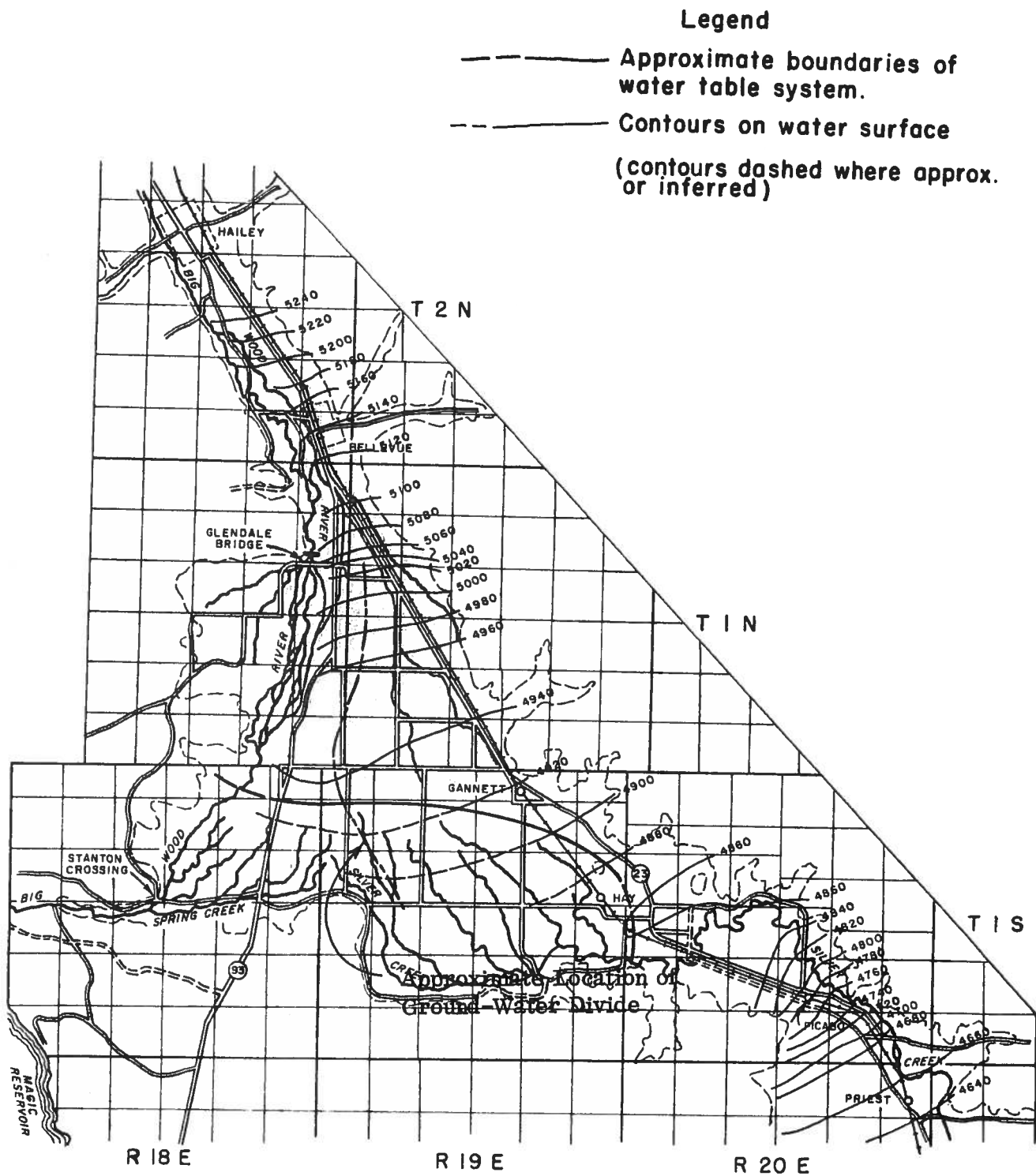


FIGURE 15. Approximate boundaries of water-table system and contours on water surface, Big Wood River-Silver Creek area.

Ratliffe Estimate of Cove Canal Seepage

C.E. Brockway 3/22/2012

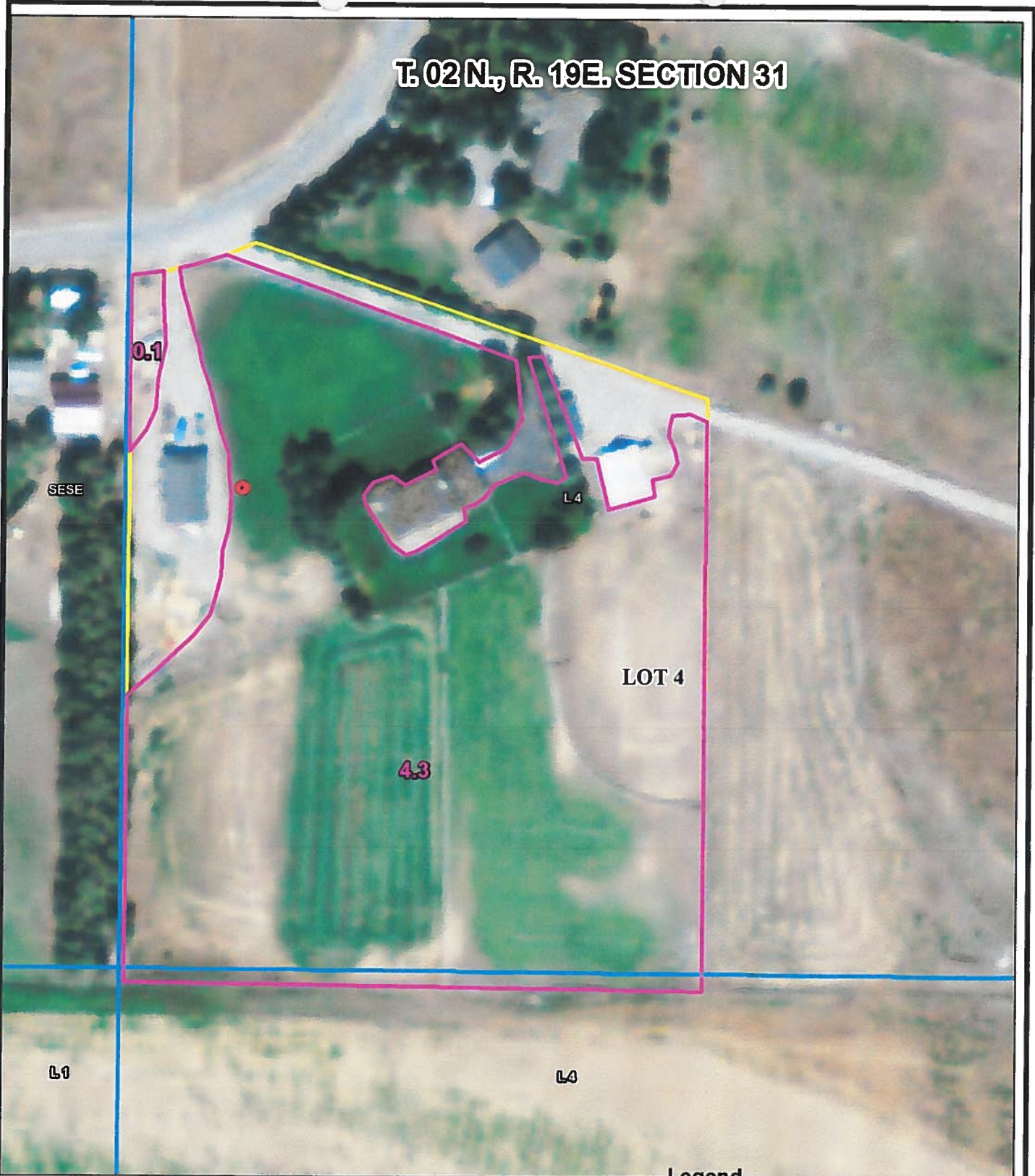
Length	4 mi	21120 ft	Cove Canal Diverstion down to Bellevue
width avg		6 ft	
Wetted Perimeter		7.2 ft	
Depth		1.5 ft	
Area		152064 ft^2	
Seepage rate		2 ft/day	Worstell
Seepage loss		304128 ft^3/day	
		3.52 cfs	
Total Water Rights		20.75 cfs	
%loss		17%	
37-577BY Divesion		0.1 cfs	
% of 37-577BY loss		0.02 cfs	

State law requires that this report be filed with the Director, Department of Water Resources, within 30 days after the completion or abandonment of the well.

APR 22 1988

[illegible]

T. 02 N., R. 19 E. SECTION 31



Legend

- Proposed POD for Permit, Existing Well
- Potential Irrigated Area = 4.4 Ac.
- Proposed Place of Use
- Section_Lines
- ladesc

RATLIFFE, WILLIAM AND/OR KATHLEEN
APPLICATION FOR PERMIT
NAIP 2011 AERIAL



BROCKWAY ENGINEERING, PLLC.
ALR - OCT. 4, 2011
(ZL- 1/27/12)

0 50 100 200 Feet

UNITED STATES DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

PREPARED IN COOPERATION WITH THE
IDAHO DEPARTMENT OF WATER RESOURCES

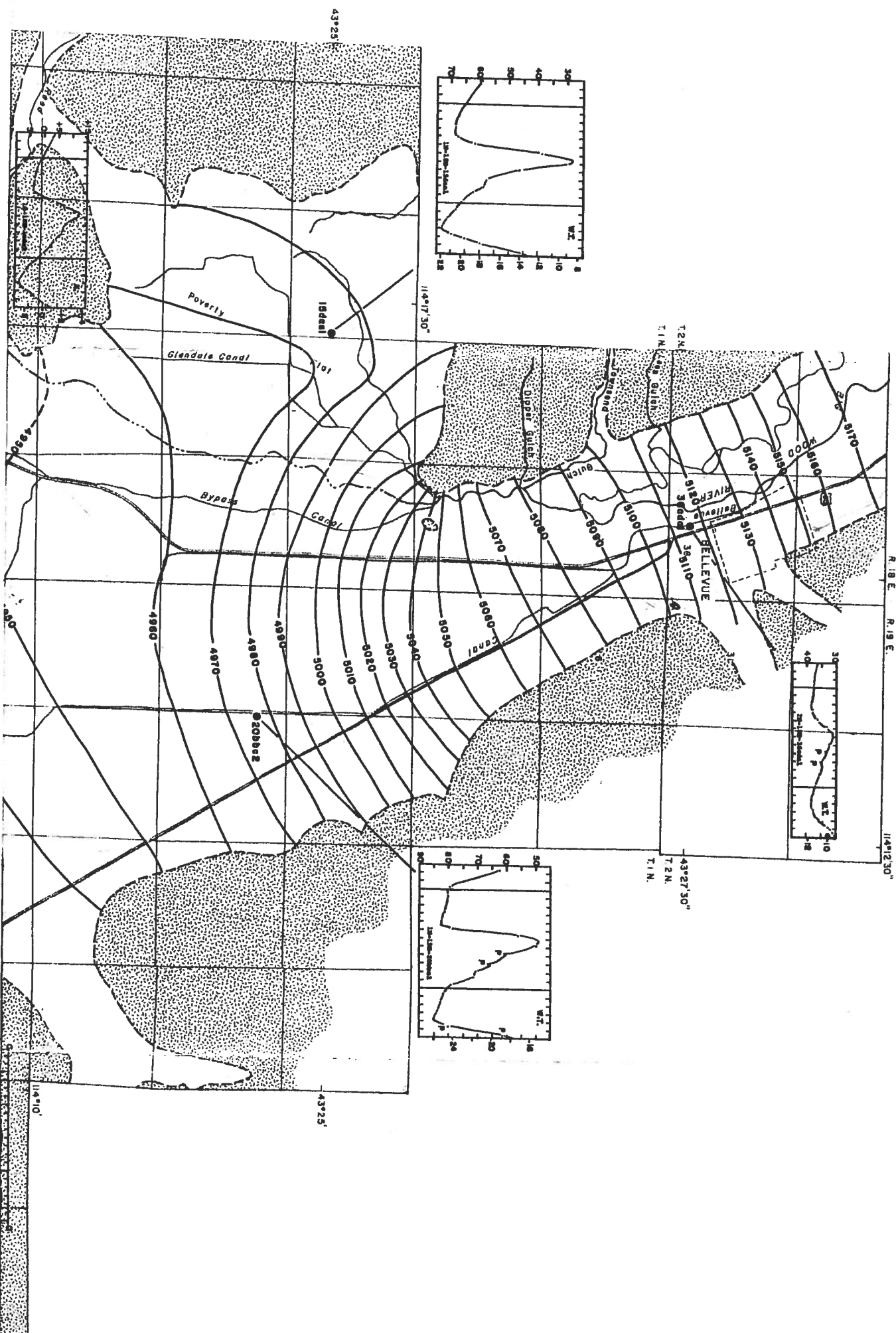


FIGURE 6.--POTENTIOMETRIC AND WATER-TABLE CONTOURS, FALL, 1975, AND WATER-LEVEL FLUCTUATIONS IN SELECTED WELLS IN THE SILVER CREEK AREA, BLAINE COUNTY, IDAHO.

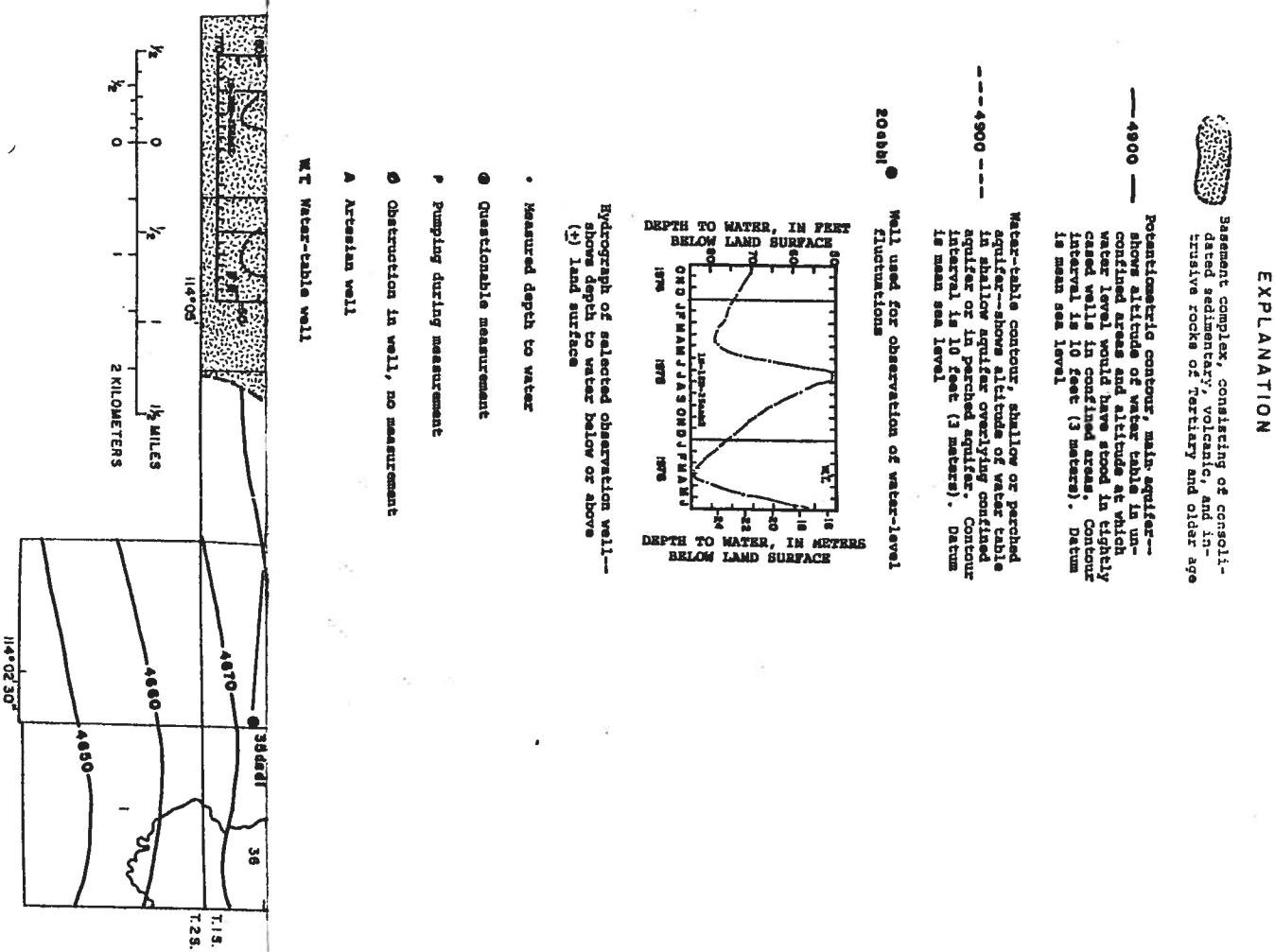


Figure 3
From McLeod
(1993)

UNITED STATES DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

PREPARED IN COOPERATION WITH THE
IDAHO DEPARTMENT OF WATER RESOURCES

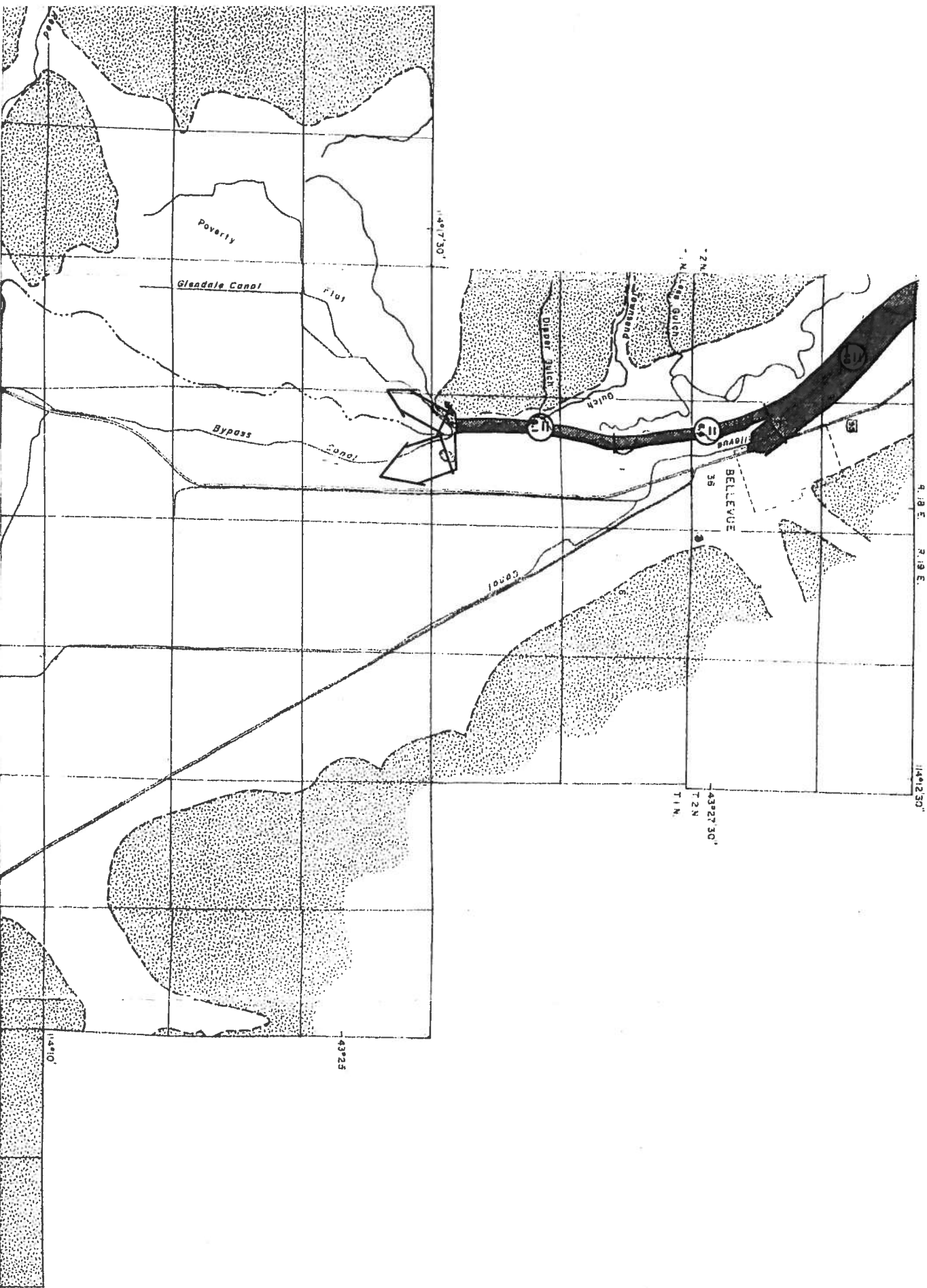


FIGURE 12--SCHEMATIC DIAGRAM OF SURFACE-WATER FLOW
AND GAINS OR LOSSES IN THE SILVER CREEK AREA,
BLAINE COUNTY, IDAHO.

EXPLANATION

Basement complex, consisting of consolidated sedimentary, volcanic, and intrusive rocks of Tertiary and older age

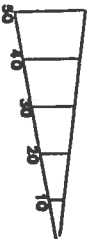


Gain or loss (-), in cubic feet per second between measuring points (to convert to cubic meters per second, multiply by 0.0283)

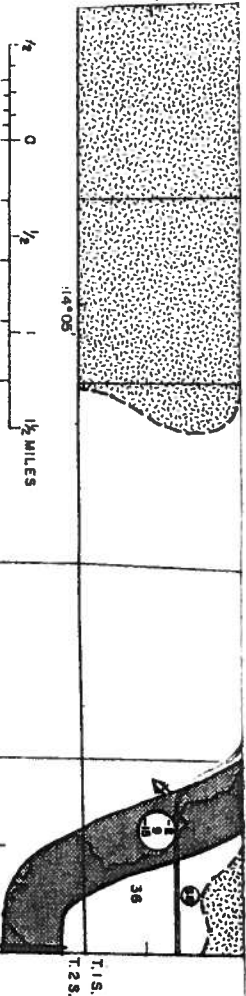
Top number--gain or loss May 19-23, 1975
Middle number--gain or loss June 23-27, 1975
Bottom number--gain or loss Sept. 29-Oct. 3, 1975

13e Estimated gain or loss distributed between two or more reaches due to lack of midpoint measurement

-10e Computed loss but unmeasured diversion suspected within the reach



Total flow, in cubic feet per second (to convert to cubic meters per second, multiply by 0.0283)



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SOUTHERN REGION1. Name of applicant(s) Kathleen and/or William R. Ratliffe Phone 580 780 2972
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 21165 SW Killarney CT. City TualatinState OR Zip 97062 Email: _____2. Source of water supply Ground Water which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
02N	19E	31	4	SW	SW	SW	Blaine	Ground Water	Existing well

4. Water will be used for the following purposes:

Amount 15.4 cfs 0.75 for Irrigation purposes from 4/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) .075 cubic feet per second (cfs) and/or (b) 15.4 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Existing well and pumpb. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. If well is already drilled, when? circa 1978; drilling firm Unknown;Well was drilled for (well owner) Unknown; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Well water will be used for irrigation of 4.4 acres. Diversion of water from the Big Wood river under Water right 37-577BY will be utilized as mitigation.

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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2N	19E	31											4.4						4.4

Total number of acres to be irrigated: 4.4

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 37-20450

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11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. See Mitigation Plan attached

12. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

William R Ratliff
 Signature of Applicant
William R Ratliff
 Print Name (and title, if applicable)

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For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Received by _____ Receipt No. _____ Date _____

RECEIVED

DEC 23 2011

FORM 202 03/10 Print form as a 2 page, single-sided document

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SOUTHERN REGION
STATE OF IDAHOIdent. No. 37-22672

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

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b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

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b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Applicant seeks to offer surface water rights 37-577BY as mitigation for new ground water permit.Please refer to accompanying mitigation plan.

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

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02N	19E	31											5.0						5.0

Total number of acres to be irrigated: 5.0

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Surface water irrigation right 37-577BY and ground water right 37-20450 are currently appurtenant to this place of use.
10. a. Who owns the property at the point of diversion? Applicants.
- b. Who owns the land to be irrigated or place of use? Applicants.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A.
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant seeks to offer Big Wood River irrigation water right 37-577BY as mitigation for this irrigation permit. Applicant seeks to divert ground water for irrigation of property, not to exceed limits set forth in water rights 37-577BY and 37-20450. Applicant can not divert water at the point of diversion listed on 37-577BY, because the canal connecting the POD to the POU does not exist and delivery can not be made. Therefore, applicant seeks to mitigate new ground water permit with existing surface water right from the Big Wood River.
Please see mitigation narrative.
12. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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W. R. Patton
 Signature of Applicant

 Signature of Applicant

 Print Name (and title, if applicable)

 Print Name (and title, if applicable)

For Department Use:

Received by P. SKINNER Date 12/23/2011 Time NOONISH Preliminary check by _____
 Fee \$ 100.00 Received by P. SKINNER Receipt No. 5032279 Date 12/23/2011



BROCKWAY ENGINEERING, PLLC.
 ALR - OCT. 4, 2011
 (ZL- 12/14/11)

RATLIFFE, WILLIAM AND/OR KATHLEEN APPLICATION FOR PERMIT NAIP 2011 AERIAL

0 200 400 800 Feet

Legend

- Proposed POD for Permit, Existing Well
- Proposed Place of Use
- Section_Lines
- ladesc



Ratliffe- Mitigation Plan for Permit

To: Mr. Allen Merritt, IDWR Southern Region Office
From: Charles E. Brockway, Zach Latham
Cc:
Date: December 20th 2011
Re: Ratliffe Water Right Permit- Surface Water to Ground Water

This memo serves as a mitigation plan for the permit filed on behalf of William and Kathleen Ratliffe whose intent is to use Big Wood River water right 37-577BY as mitigation for a concurrently filed permit which seeks to allow ground water diversion of 0.10cfs for irrigation of 5.0 acres on the Ratliffe property in Bellevue, Blaine County Idaho. Ground water right 37-20450 is also owned by the Ratliffes and water used for irrigation and domestic use for one home is diverted from an existing well in the SWSW T.02N R.19E SEC.31 on the Ratliffe property. Both water rights have been recommended to the SRBA court and have combined limit of 5.0 acres for irrigation use on the property.

Surface water right 37-577BY is currently recommended in the SRBA with a priority date of 3/24/1883, with 0.10 cfs authorized to be diverted from the Big Wood River from 4/15 through 10/31 for the irrigation of 5.0 acres on Lot 4, SWSW T.02N R.19E SEC.31. Although 37-577BY has historically been diverted from the Big Wood River into the Cove Canal in T.02N R.18E SEC.16 NESE for irrigation on the Ratliffe property, the termination of the Cove canal north of Bellevue prohibits delivery of water right 37-577BY to the Ratliffe property at this time. Therefore, a permit is being filed on behalf of the Ratliffes which proposes to leave all 0.10 cfs in the Big Wood River as mitigation for the diversion of 0.10 cfs from the existing well listed under 37-20450 on the Ratliffe property. Because the surface water conveyance ditch is inoperable and cannot physically allow delivery of water right 37-577BY to the Ratliffe property, a change in the point of diversion must be made in order for use of 37-577BY to continue. Under this permit, water would no longer be diverted from the Big Wood River at the point of diversion associated with water right 37-577BY.

It is Brockway Engineering's understanding that IDWR will allow the conversion of surface water to ground water in instances where surface water delivery is unavailable, leaving the owner of the water right no other option but to apply for a permit to divert ground water as the primary means of delivery.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 11, 2012

WILLIAM R RATLIFFE
KATHLEEN L RATLIFFE
21165 SW KILLARNEY CT
TUALATIN, OR 97062

Re: Application For Permit No. 37-22672

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **5/16/2012** and **5/23/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**June 4, 2012**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

FRITZ HAEMMERLE
HAEMMERLE & HAEMMERLE
PO BOX 1800
HAILEY, ID 83333

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, May 10, 2012 11:46 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.docx

Attached please find (1) legal notice being submitted for publication on May 16th & 23rd, 2012. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Also, please note my new e-mail address listed below. I recently got married and have changed my name. If you have any trouble reaching me via e-mail, please call our office at (208) 736-3033.

Thank you in advance,

Denise Maline (formerly Buffington)
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 10, 2012

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 77878

Water Right No(s): 37-7391, 37-115G, 37-117, 37-158D, 37-418C, 37-419C, 37-481C, 37-482H,
37-483C, 37-501D, 37-577AP, 37-577BT, 37-597A, 37-664B, 37-665I, 37-666G, 37-666H,
37-667L, 37-667M, 37-886D, 37-2630, 37-2656, 37-7645, 37-7658B, 37-7856

RE: Application For Permit No.(s): 37-22672

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 4, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-22672

WILLIAM R RATLIFF

KATHLEEN L RATLIFF

21165 SW KILLARNEY CT

TUALATIN, OR 97062

Point of Diversion L4(SWSWSW) S31 T02N R19E BLAINE County Source GROUND WATER Tributary

Use: IRRIGATION 01/01 to 12/31 0.075 CFS

Total Diversion: 0.075 CFS

Date Filed: 12/23/2011

Place Of Use: IRRIGATION

T02N R19E S31 L4(SWSW)

Total Acres: 4.4

It is proposed that the 0.10 cfs allowed diversion from the Big Wood River under water right 37-577BY with a priority of 3-17-1883 be dedicated to mitigation. A portion of right 37-577BY (0.02 cfs) will continue to be diverted into the Cove Canal for conveyance loss to users in the canal and the remaining portion (0.08 cfs) will not be diverted at the Cove Canal but left in the river to mitigate for the aquifer depletion attributable to this application. Note that right 37-577BY historically irrigated 5 acres at the site of this application. Also right 37-20450 for 0.06 cfs with a priority of 6-22-1978 diverted from ground water also irrigates the same 5 acres.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 77878**

BELLE RANCH LLC, PO BOX 3322, HAILEY, ID 83333 has filed Application No. 77878 for changes to the following water rights within BLAINE County(s): Right No(s). 37-7391, 37-115G, 37-117, 37-158D, 37-418C, 37-419C, 37-481C, 37-482H, 37-483C, 37-501D, 37-577AP, 37-577BT, 37-597A, 37-664B, 37-665I, 37-666G, 37-666H, 37-667L, 37-667M, 37-886D, 37-2630, 37-2656, 37-7645, 37-7658B, 37-7856. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to move a total of 20.7 acres and 0.65 cfs (0.38 cfs from the Big Wood River & 0.27 cfs from groundwater) from portions of 11 water rights, currently authorized for a combined diversion of 31.96 cfs (21.34 cfs from the Big Wood River & 10.62 cfs from groundwater) to another farm approximately 3-4 miles to the north. The north farm currently has five existing water rights with the combined diversion of 27.06 cfs (23.31 cfs from the Big Wood & 3.75 cfs from groundwater) for the irrigation of 289 acres. The north farm is also creating a permissible place of use of 380 acres and will be limited to the irrigation of 309.7 acres within. The groundwater will be diverted from an existing well; no new wells will be drilled. The approximate location of the north farm is 1 – 2.25 miles south of Bellevue and the south farm is 4 - 6 miles south of Bellevue.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before June 4, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on May 16th & 23rd, 2012

Merritt, Allen

From: Merritt, Allen
Sent: Tuesday, May 08, 2012 3:42 PM
To: fxh@haemlaw.com; charles.e.brockway@brockwayeng.com
Cc: Southern Region; Peppersack, Jeff
Subject: FW: fax vs original

Fritz & Chuck,

The e-mail string below is the guidance provided by the state office for accepting faxed signatures for applications and transfers and other documents. As you know we are currently processing the amended Ratliffe application 37-22672. The amended application filed with the department does not have the original signature and appears to be a copy or a fax. I'm not sure who has the original signed document but please submit the original signature page for the official application file. For all future applications for transfer or permit please provide us with the original signature. If you have questions please let me know.

Allen

From: Peppersack, Jeff
Sent: Tuesday, May 08, 2012 3:19 PM
To: Merritt, Allen
Subject: FW: fax vs original

Here's the email regarding faxed signatures.

From: Peppersack, Jeff
Sent: Tuesday, December 23, 2008 11:25 AM
To: Gibson, Deborah
Subject: FW: fax vs original

From: Peppersack, Jeff
Sent: Tuesday, December 23, 2008 10:26 AM
To: Block, Darla; Padilla, Cherie
Subject: FW: fax vs original

From: Peppersack, Jeff
Sent: Tuesday, October 23, 2007 3:29 PM
To: Rushing, Emalee
Subject: FW: fax vs original

Here's the guidance for future reference

-----Original Message-----

From: Peppersack, Jeff
Sent: Tuesday, June 12, 2007 8:30 AM
To: Keen, Shelley; Luke, Tim; Gibson, Deborah
Cc: Merritt, Allen; Swank, Lyle; Westra, John; Haynes, Bob
Subject: FW: fax vs original

I need to clarify my earlier message after additional discussion with Gary.

Most applications for permit and transfer have been submitted as original signed documents (not copies or fax). This has historically been the case because the Department could not accept electronic payment, so the original application and

fees were mailed together. That situation could change once the Department is capable of accepting electronic payment. If an application for permit or transfer is faxed to the Department, and the application is otherwise complete and fees have been paid, then the Department should consider the application to be filed as of the date of the fax, provided the original document is submitted in a timely manner. For those applications, the Department should follow up, probably by phone, to seek the original documents to complete the submittal. If the originals are not submitted, the Department should ask, in writing, for the original documents (pursuant to 42-204, additional information requirements for permits) and provide 30 days for submittal. The Department could void or reject the faxed application as appropriate.

Seeking the original document should not become a routine process for all filings. For other types of documents, such as proof, requests for extension, temporary applications, petitions, etc., the Department can accept the faxed documents as of the date of the fax, without follow up by the original documents (provided that the submittal is otherwise complete and fees paid). In cases where the faxed documents are difficult to read or interpret due to the quality of the fax transmittal, the Department should ask for the original documents.

Jeff

-----Original Message-----

From: Peppersack, Jeff
Sent: Friday, June 08, 2007 11:06 AM
To: Wigle, Victoria; Boardman, Anne; Gibson, Deborah; Keen, Shelley; Luke, Tim
Cc: Westra, John; Merritt, Allen; Swank, Lyle; Haynes, Bob; Spackman, Gary
Subject: FW: fax vs original

A question was raised recently about accepting a faxed document as the official filing with the Department. The emails below provide some background and I have discussed further with Gary. Rule 300 of the Rules of Procedure provide guidance, but could be interpreted in different ways with different results. The general consensus is that a faxed document can be considered the official filing where timeliness of submittal is important. However, the document cannot be considered filed until a required fee has also been submitted. For most submittals, the Department should remind the sender that the rules require follow-up with the original document. For applications (permits, transfers or similar), the Department should require follow up with the original documents in a timely manner (probably 30 days). If the original documents are not submitted, the Department should reject or void the application as appropriate.

The reception of faxes as the official filing for documents raises another concern. The faxed document needs to be printed, date stamped, attached to the appropriate file and distributed to staff for action. If a fax is received by the receptionist at the state office for any document intended for Water Allocation Bureau, please forward the fax (email) to Debbie Gibson for acceptance. Debbie should ensure that the fax is printed, date stamped with the received date, and distributed to appropriate staff accompanied by the water right file.

Thanks,
Jeff

-----Original Message-----

From: Spackman, Gary
Sent: Thursday, June 07, 2007 3:29 PM
To: Spackman, Gary; Peppersack, Jeff; Rassier, Phil
Subject: RE: fax vs original

Jeff,
Phil & I spoke about this and we agreed that the failure to file or mail an original within a day of faxing should not be a fatal flaw in the filing, and that receipt of the fax should be sufficient to satisfy the filing requirement. We probably need to revamp the review of fax submittals and how they are date stamped and placed in files. Let's talk.

Gary

-----Original Message-----

From: Spackman, Gary
Sent: Thursday, June 07, 2007 12:17 PM
To: Peppersack, Jeff; Rassier, Phil
Subject: RE: fax vs original

Jeff,

I assume you are referring to Rule 300 of the Rules of Procedure. The document has to be "intended to be a part of the agency record." If the department is to consider the information submitted, and the original is not submitted, we could ignore the fax submittal. Practically, I think we should consider general documents that are not followed by an original, but remind the parties that an original is required by the rules. When the submittal of a document is

required within a specified time, however, and we have to determine whether a document has been timely filed, the rule should be more strictly enforced. In other words, if someone faxes a petition for reconsideration on the 14th day following issuance of a decision, and the original is not filed on the following day, IDWR has grounds to determine the petition was untimely filed. Whether we should do this in all cases is another question.

Gary

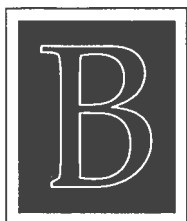
-----Original Message-----

From: Peppersack, Jeff
Sent: Thursday, June 07, 2007 11:04 AM
To: Rassier, Phil; Spackman, Gary
Subject: fax vs original

Gary and Phil,

A question has arisen regarding use of faxed documents for official filings. The rules require follow up with the original document within the next day. I know we have accepted faxed documents without follow up for some types of filings. Can you provide some clarification of what is acceptable?

Thanks,
Jeff



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAY 03 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

NO - CK.

RECEIVED

MAY 08 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

~~CK received~~
not needed

April 25, 2012

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

RE: Ratliffe- Water Right Permit Application.

Dear Allen,

Attached is a new amended water right permit application involving existing Big Wood River irrigation water right 37-577BY in the name of Kathleen and William Ratliffe. The permit application seeks to offer all of Big Wood River water right 37-577BY (0.10cfs) as mitigation for a new ground water right permit which will allow the Ratliffes to pump 0.075 cfs from an existing well to irrigate their property. Historically, water right 37-577BY has been delivered to the Ratliffe property through the Cove Canal. Because the Cove Canal no longer can convey water to the Ratliffe property, the Ratliffes seek to leave water right 37-577BY in the Big Wood River and irrigate on their property using ground water as outlined in the attached permit application and mitigation plan. For a full explanation, please refer to the mitigation plan attached to the permit application.

Also included is a check for \$100.00 to cover the permit application fee. Please copy our office on all correspondence regarding this water right permit application. Don't hesitate to call our office should you have any further questions or comments. Thanks for your time and assistance on this matter.

Regards,

C.E. Brockway P.E. PhD.

Enclosures:
Water Right Permit Application and Aerial Photo
Mitigation Plan
Watermaster Records
Brockway Engineering Check # 10635

Cc: Bill Ratliffe
Fritz Haemmerle

CHARLES E.
BROCKWAY,
PH.D., P.E.

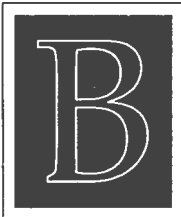
CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
APR 26 2012

HAEMMERLE & HAEMMERLE PLLC

April 25, 2012

Mr. Fritz Haemmerle
Haemmerle & Haemmerle
P.O. Box 1800
Hailey, ID 83333

RECEIVED
MAY 03 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: Ratliffe- Water Right Permit Application.

Dear Fritz,

Enclosed you will find: a new amended water right permit application (April 20, 2012) involving existing Big Wood River irrigation water right 37-577BY in the name of Kathleen and William Ratliffe; cover letter to IDWR from Charles E. Brockway; Mitigation Plan with Aerial Photo; Watermaster records; and a Brockway Engineering check #10635.

With this letter, we would like you to please obtain the necessary signature(s) from the Ratliffe's on the permit application.

After the signature is obtained, will you please see that copies of the complete packet are made and sent to the Ratliffe's and our office. Please submit the original with all enclosures and the Brockway Engineering enclosed check to the Department of Water Resources, Mr. Allen Merritt, as addressed on the cover letter.

Thank you for your help with this process and amended permit application.

Regards,

For: C.E. Brockway P.E. PhD.

M. Ann Pool
Hydrologic Technician

Enclosures:

Cover letter to IDWR
Water Right Permit Application and Aerial Photo
Mitigation Plan
Watermaster records
Brockway Engineering Check # 10635

CHARLES E.
BROCKWAY,
PH.D., P.E.

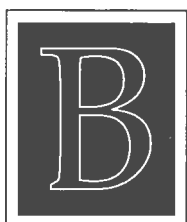
CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 12 2012

HAEMMERLE & HAEMMERLE PLLC

March 7, 2012

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

RE: Ratliffe- Water Right Permit Application.

Dear Allen,

Attached is a new amended water right permit application involving existing Big Wood River irrigation water right 37-577BY in the name of Kathleen and William Ratliffe. The permit application seeks to offer all of Big Wood River water right 37-577BY (0.10cfs) as mitigation for a new ground water right permit which will allow the Ratliffes to pump 0.075 cfs from an existing well to irrigate their property. Historically, water right 37-577BY has been delivered to the Ratliffe property through the Cove Canal. Because the Cove Canal no longer can convey water to the Ratliffe property, the Ratliffes seek to leave water right 37-577BY in the Big Wood River and irrigate on their property using ground water as outlined in the attached permit application and mitigation plan. For a full explanation, please refer to the mitigation plan attached to the permit application.

Also included is a check for \$100.00 to cover the permit application fee. Please copy our office on all correspondence regarding this water right permit application. Don't hesitate to call our office should you have any further questions or comments. Thanks for your time and assistance on this matter.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Regards,


C.E. Brockway P.E. PhD.

Enclosures:

Water Right Permit Application and Aerial Photo
Mitigation Plan
Watermaster Records
Brockway Engineering Check # 10635

Cc: Bill Ratliffe
Fritz Haemmerle

RECEIVED

MAR 19 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

*Returned check 3/23/12
Recieved by chuck sr.*

CHUCK



Ratliffe- Mitigation Plan for Permit

To: Mr. Allen Merritt, IDWR Southern Region Office
From: Charles E. Brockway, Zach Latham
Cc:
Date: March 07, 2012
Re: Ratliffe Water Right Permit Application- Ground Water Permit with Surface Water Mitigation

Revised

This memo serves as a mitigation for the permit filed on behalf of William and Kathleen Ratliffe whose intent is to use Big Wood River water right 37-577BY as mitigation for a concurrently filed permit which seeks to allow ground water diversion of .075 cfs (33.7 gpm) for irrigation of 4.4 acres on the Ratliffe property in Bellevue, Blaine County Idaho. Ground water right 37-20450 is also owned by the Ratliffes and water used for irrigation and domestic use for one home is diverted from an existing well in the SWSW T.02N R.19E SEC.31 on the Ratliffe property. The discharge rate on water right 37-20450 is 0.6 cfs for irrigation of 5.0 acres. Both water rights have been recommended to the SRBA court and have combined limit of 5.0 acres for irrigation use on the property.

Surface water right 37-577BY is currently recommended in the SRBA with a priority date of 3/24/1883, with 0.10 cfs authorized to be diverted from the Big Wood River from 4/15 through 10/31 for the irrigation of 5.0 acres on Lot 4, SWSW T.02N R.19E SEC.31. Although 37-577BY has historically been diverted from the Big Wood River into the Cove Canal in T.02N R.18E SEC.16 NESE for irrigation on the Ratliffe property, the termination of the Cove canal north of Bellevue prohibits delivery of water right 37-577BY to the Ratliffe property at this time. Therefore, a permit is being filed on behalf of the Ratliffes which proposes to leave all 0.10 cfs in the Big Wood River as mitigation for the diversion of .075 cfs from the existing well listed under 37-20450 on the Ratliffe property. Because the surface water conveyance ditch is inoperable and cannot physically allow delivery of water right 37-577BY to the Ratliffe property, a change in the point of diversion must be made in order for use of 37-577BY to continue. Under this permit, water would no longer be diverted from the Big Wood River at the point of diversion associated with water right 37-577BY.

IDWR will allow the use of surface water for mitigation of ground water withdrawal in instances where surface water delivery is unavailable, leaving the owner of the water right no other option but to apply for a permit to divert ground water as the primary means of delivery. This assumes that the proposed mitigation does, in fact, fully mitigate for any change in ground water withdrawal.

The Ratliff property is Lot 21A Muldoon Ranch Subdivision No 2 located on the south side of the City of Bellevue and more specifically it is Lot 4 Section 31 T02N R19E. The existing well from which water right 37-20450 is diverted is located on the property as shown on the accompanying aerial photograph. The NAIP 2011 aerial photo shows approximately 4.4 acres of the 5 acre property either currently or previously irrigated. Since the well has been utilized for irrigation because the surface water right cannot be secured, the diversion rate for the irrigated area is proposed to be limited to about 7.5 gpm/acre which a reasonable rate for sprinkler irrigation. It is therefore proposed for the proposed permit that the discharge rate be 0.075 cfs and the acre limit be 4.4 acres.

Ratliffe will leave the .10 cfs surface water right in the Big Wood River and not divert it into the Cove Canal. This leaves an additional 0.10 cfs in the Big Wood River from Hailey downstream and decreases the decreed water right diversion from 0.1 cfs from the Big Wood River to 0.075 cfs from ground water or a 25 percent reduction in diversion. This decrease in diversion rate provides additional flow and enhances the Big Wood River discharge from the Cove Canal downstream. The historical ground water diversion at the Ratliffe well under water right 37-20450 is assumed to be equal to the licensed discharge rate of 0.06 cfs and the historical net aquifer depletion is assumed to be equal to the consumptive use on turf grass of 702 mm/year or 2.30 af/a on 4.4 acres or 10.12 acre feet per year total. Diversion of water right (37-577BY) into the Cove Canal headgate from the Big Wood River apparently ceased at the end of the 1990 irrigation season or when the Cove Canal was blocked off at Bellevue. Water master records show diversions under this right to the former owner, Buchanan, through water year 1990 and no diversions since 1990 to subsequent owners or to Ratliffe.

Deferring diversion of 0.1 cfs over a 180 day irrigation season leaves 35.64 acre feet in the river or at least maintains that amount which has been going into the river since 1991.

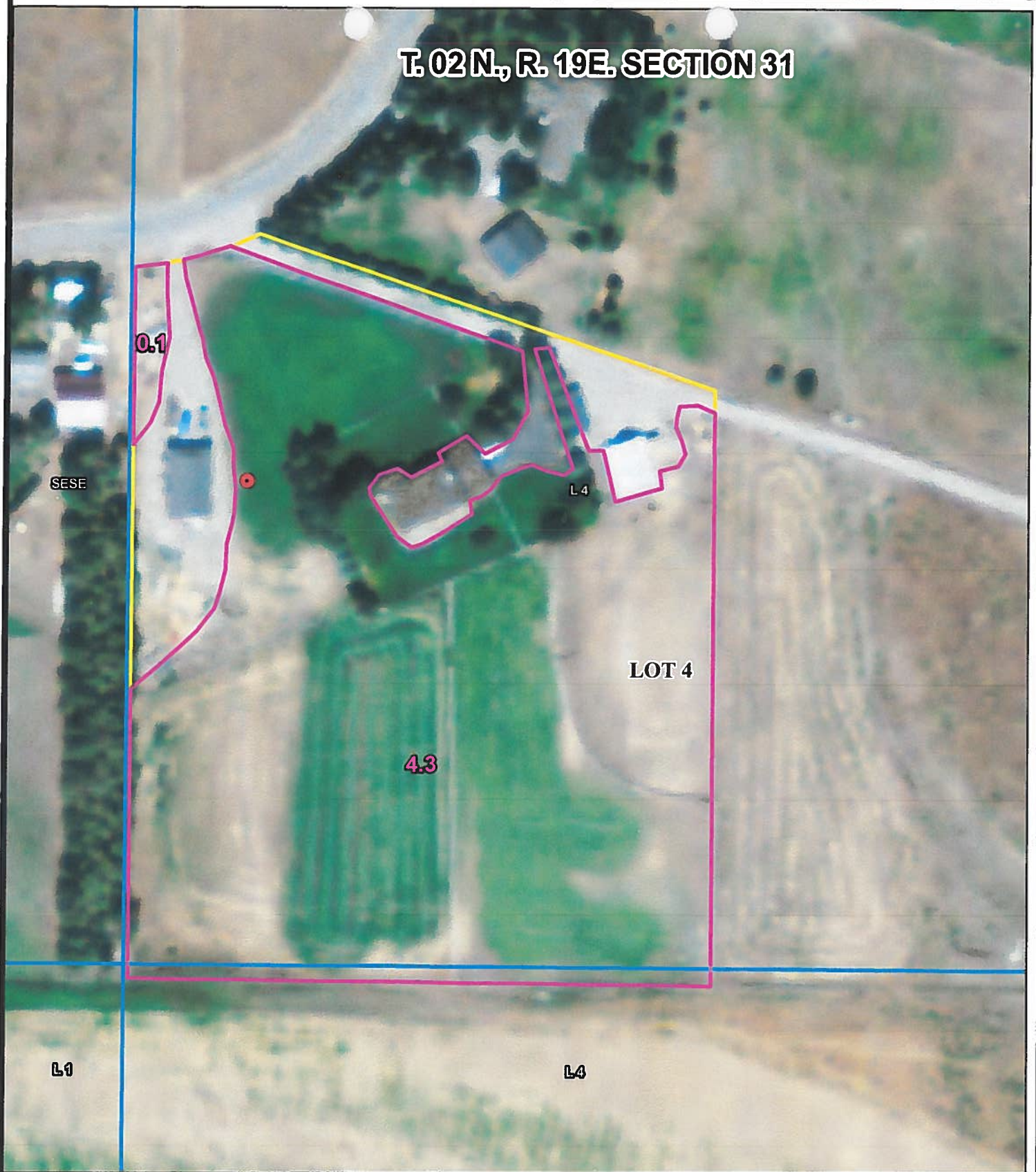
Ratliffe and predecessors have been irrigating from the ground water well (water right 37-29450) about 4.4 acres since 1978 resulting in the net depletion from the aquifer of 10.12 acre feet per year. Increasing the proposed diversion from the well to 0.075 cfs from the 0.06 cfs allowed under 37-20450 will not increase net aquifer depletion over the historical depletion of 10.12 acre feet since the total irrigated acreage has not increased. The increase in diversion rate to 0.075 cfs will allow some flexibility in irrigation management on the property but provide only 0.017 cfs/acre (0.85 miners inches/acre) or less than the normal 0.02 cfs/acre (1.0 inch/acre).

The net effect of the proposed permit and mitigation is to essentially maintain the water balance in the aquifer relative to the ground water use. If there is a concern for a decrease in carrying water in the Cove Canal as a result of decreasing the diversion by 0.10 cfs, some of the 0.10 cfs allowed diversion could be left in the Cove Canal to maintain remaining water rights equal to the historical flow as it has been since 1990.

In any case, the proposed decrease in diversion to the Cove Canal will increase the flow in the Big Wood River from the Cove Canal headgate downstream. According to the Watermaster, District 37 there are 20.75 cfs of recommended or decreed water rights in the Cove Canal. The allowed diversion of 0.10 cfs under water right 37-577BY is equal to .48% percent of the total allowed diversion into the Cove Canal. If the transmission loss in the Cove Canal from the Big Wood River diversion to the current end of the canal (4 miles) is 20% or less of the diversion rate, then the transmission loss attributable to water right 37-577BY is 0.024 cfs or less. This discharge rate is not measureable by the Watermaster and could be considered diminimus.

Mitigation of the 6/22/1978 ground water with the 3/17/1883 water right from the Big Wood River will improve the priority of the right and assure that irrigation can occur from the well at the 0.075 cfs rate whenever the 37-577BY water right is in priority. It is proposed that water use for irrigation from the existing well be administered by the Watermaster, District 37 and that an acceptable flow meter be installed on the well.

T. 02 N., R. 19E. SECTION 31



BROCKWAY ENGINEERING, PLLC.
ALR - OCT. 4, 2011
(ZL- 1/27/12)

**RATLIFFE, WILLIAM AND/OR KATHLEEN
APPLICATION FOR PERMIT
NAIP 2011 AERIAL**

0 50 100 200 Feet

Legend

-  Proposed POD for Permit, Existing Well
-  Potential Irrigated Area = 4.4 Ac.
-  Proposed Place of Use
-  Section_Lines
-  ladesc

[illegible]

266.3 c.f.s.

Justus 32

1982 Cost Report
22 Derk Shants

Page 6

Justus	32	John J. Camarero	5-10-87	100.0	0.200	183	366.00	1577.40	23.21	266.20	61.8
-	-	Dan Russell	4-12-83	6.0	-12	183	21.96	-	1.39	-	3.7
-	-	Don Justus	5-1-87	40.0	80	-	146.40	-	9.28	-	24.7
-	-	Andy Student	5-10-87	120.0	240	-	439.20	-	27.84	-	74.1
-	-	James Student	5-10-87	100.0	200	-	366.00	-	23.20	-	61.8
-	-	Robert Vernon	4-12-83	15.0	30	183	54.90	-	4.41	-	11.7
-	-	Richard Thompson	5-1-87	4.0	8	183	14.64	-	4.41	-	11.7
-	-	Pauline Biv	4-12-83	11.0	22	183	40.26	-	-	-	-
-	-		5-1-87	8.0	-16	183	29.28	-	-	-	-
-	-		4-12-83	15.0	30	183	54.90	-	6.26	-	16.7
-	-		5-1-87	12.0	24	-	43.92	-	-	-	-
33	33	Ed VanBuren	Kokomo	4.0	8	183	14.64	398.22	-36	2345.1	8.4
33	33	Larry McInissey	Rockwell	4.0	8	183	14.64	-	-36	-	8.4
33	33	W.R. Watts	7-1-83	20.0	40	183	73.20	-	3.45	-	80.9
			3-24-83	17.5	35	183	68.05	-	-	-	-
33	33	J.F. Eccles	8-1-82	150.0	300	183	549.00	-	-	-	-
-	-		8-1-84	150.0	300	183	549.00	-	-	-	-
-	-		8-1-1982	150.0	300	147	441.00	-	-	-	-
33	33	Camela Shubert	3-24-83	20.0	40	183	73.20	-	38.67	-	906.8
33	33	Carl Martin	5-31-83	33.34	67	183	122.44	-	1.84	-	43.2
			7-10-84	66.68	133	-	243.39	-	-	-	-
			8-1-87	8.24	16	-	29.28	-	9.94	-	232.9

Coke # 33

Cove # 33

1985

73	D. Head	7-10-84	$70^{\circ} = 1.40 \times 131 =$	183.40	$\div 22.56 = 5.71$	$\times 152.8^{\circ}$	89.5		
74	D. Jester	4-12-83	$80^{\circ} = 1.60 \times 183 =$	292.80	$\div 9.12 \times$		143.0		
5	D. Duddy	4-1-84	$5.6 \times 11 \times 149 =$	16.39	$\div 51 \times$		8.0		
7	E. Mann	5-1-83	$33.37 = .67 \times 183 =$	122.61					
9		7-10-84	$66.67 = 1.33 \times 131 =$	174.23					
10		8-1-84	$8.33 = .17 \times 131 =$	22.27					
11				319.11	$\div 9.94 \times$		155.9		
13	E. L. L. R. R. R. R.		$40 = .08 \times 183 =$	14.64	$\div .46 \times$		7.2		
15	E. A. L. L. L. L.	5-1-83	$33.37 = .67 \times 183 =$	122.61					
16		7-10-84	$66.67 = 1.33 \times 131 =$	174.23					
17		8-1-84	$8.33 = .17 \times 131 =$	22.27					
18				319.11	$\div 9.94 \times$		155.9		
20	C. Duddy	3-24-83	$20^{\circ} = .40 \times 183 =$	73.20	$\div 2.28 \times$		35.8		
22	L. M. L. L. L. L.		$40 = .08 \times 183 =$	14.64	$\div .46 \times$		7.2		
24	R. L. L. L. L. L.	6-1-84	$9.0 = .18 \times 149 =$	26.82	$\div 84 \times$		13.2		
26	R. L. L. L. L. L.	5-3-83	$33.37 = .67 \times 183 =$	122.61					
27		7-10-84	$66.67 = 1.33 \times 131 =$	174.23					
28		8-1-84	$8.33 = .17 \times 131 =$	22.27					
29				319.11	$\div 9.94 \times$		155.9		
30	R. L. L. L. L. L.	7-10-84	$33.0 = .66 \times 131 =$	86.46	$\div 2.69 \times$		42.2		
31	E. L. L. L. L. L.	9-1-82	$150 = 3.00 \times 183 =$	549.00					
32		8-1-84	$50 = 3.00 \times 131 =$	393.00					
33		8-1-84	$100 = 3.00 \times 100 =$	300.00					
34				1242.00	$\div 38.70 \times$		606.9		
36	Watts	7-1-81	$20^{\circ} = .40 \times 123 =$	49.20					
37		3-24-82	$77.5 = 1.5 \times 123 =$	430.5					
38				92.25	$\div 2.98 \times$		45.8		
40	Tenny	7-10-84	$100 = 1.40 \times 131 =$	209.40	$\div 6.53 \times$		102.4		
				3209.53			156.3		

1986

Panel 24

1	Ray Jefferson	30	$.60 \times 136 = 81.60$	$- 2792.96 = 3.59$	70	596.0	21.4
2	L.H. Poppy	85	$= 1.70 \times 130 = 221.20$	$= 10.08$			60.0
3	Lisette Bodnar	120	$= 2.80 \times 186 = 326.40$	$= 14.23$			84.8
4	John Chapman	101	$= 12.16 \times 120 = 1458.76$	$= 92.12$			429.8

Panel 25

12	John Chapman	73.17	$90 \times 631.8 = 462.3$				
13	River Drive	26.87	$90 \times 631.8 = 169.5$				
14			Total = 631.8				

Panel 33

18	Endang Viny	40	$= 1.08 \times 183 = 14.64$	$397.71 = .38 \times 2597.3$	90		9.9
19	Larry McKinley	40	$= 1.08 \times 183 = 14.64$	$= .37$			9.6
20	W.R. Williams	27.5	$= .75 \times 183 = 137.25$	$= 3.51$			91.2
21	S.F. Eccles	300	$= 6.00 \times 183 = 1098.00$				
22		150	$= 3.00 \times 121 = 363.00$				
23			1461.00		37.39	$\times 2597.3 =$	971.1
24	Charles Dwyer	19	$= 1.38 \times 183 = 49.54$	$= 1.78$			46.2
25	Wesley Dwyer	10	$= 1.07 \times 183 = 36.66$	$= .09$			2.3
26	Earl Mann	108	$= 2.17 \times 183 = 397.11$	$= 10.16$			263.9
27	Fred Bladen	108.5	$= 2.17 \times 183 = 397.11$	$= 10.16$			263.9
28	Richard Delah	108.5	$= 2.17 \times 183 = 397.11$	$= 10.16$			263.9
29	Dennis Head	20	$= 1.40 \times 183 = 256.20$	$= 6.56$			179.4
30	Eric Rocco	33	$= 1.66 \times 183 = 303.78$	$= 3.09$			80.3
31	Randy Kova	80	$= 1.60 \times 183 = 292.80$	$= 7.49$			194.5
32	Diana Dwyer	56	$= 1.11 \times 183 = 203.13$	$= .52$			13.5
33	Raymond Kova	900	$= 1.8 \times 183 = 329.4$	$= .88$			22.1
34	Don Jensen	80	$= 1.60 \times 183 = 292.80$	$= 7.49$			194.5

Cove 33
1987

Page 1

1	2	3	4	5	6	7	8
1	Mohrman	.08 x 79 =		6.32	255.17	22	1992.8 =
2							5.0
3	W.R. Watts	.44 x 146 =	58.40				
4		.25 x 99 =	34.65				
5				93.05		3.24	65.0
6							
7	Exiles	3.00 x 183 =	549.00				
8		3.00 x 128 =	384.00				
9		3.00 x 79 =	237.00				
10				1170.00 =		41.03	817.6
11							
12	Buck	.02 x 146 =		2.92		1.17	2.0
13							
14	Miller	.10 x 146 =		14.60		.51	10.2
15							
16	Reckman	.10 x 146 =		14.60		.51	10.2
17							
18							
19							
20	Mann	.67 x 140 =	93.80				
21		1.33 x 128 =	170.24				
22		.17 x 128 =	21.76				
23				285.80		10.03	200.0
24	Blechn	.67 x 140 =	93.80				
25		1.33 x 128 =	170.24				
26		.17 x 128 =	21.76				
27				285.80		10.03	200.0
28	Wolch	.67 x 140 =	93.80				
29		1.33 x 128 =	170.24				
30		.17 x 128 =	21.76				
31				285.80		10.03	200.0
32							
33	Head	1.40 x 128 =		179.20		6.28	125.2
34							
35	Reck	.66 x 128 =		84.48		2.96	59.0
36							
37							
38							
39							
40							

1988 Case 33 p. 1

End User Policy - Longevity	Policy	7.0	7.0	183	14.04	2312.8	7.0	1535.0	9.67
W. E. Duff's	2-1-1981	14.0	1.08	183	14.04	2312.8	7.0	1535.0	9.67
	3-24-87	20.0	1.40	183	73.20				
		17.5	1.35	124	43.40				
					116.60				17.21
S. F. Ex. 100	8-1-82	15.0	3.0	142	426.0				
	8-1-84	15.0	3.0	104	312.0				
	8-1-87	15.0	3.0	43	129.0				
Wayne Bunk	5-24-83	1.0	1.02	124	867.00				574.21
Richard White	5-24-83	5.0	1.10	124	2.48				183
Steven Bunk	3-24-85	5.0	1.10	124	12.40				8.14
					12.40				8.14
Paul Mann	5-31-83	33.34	1.67	110	73.70				
	7-10-84	46.67	1.33	104	138.32				
	8-1-84	8.34	1.17	104	17.65				152.12
Frederick Bunk	5-31-83	33.34	1.67	110	229.70				
	7-10-84	46.67	1.33	104	73.70				
	8-1-84	8.34	1.17	104	138.32				
Richard White	5-31-83	33.34	1.67	110	17.65				152.12
	7-10-84	46.67	1.33	104	229.70				
	8-1-84	8.34	1.17	104	73.70				
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1990

Cane #33

Apr May June July Aug Sept

+ ✓	Berris Head	NO	yes	yes	yes	yes	no
+ ✓	Don Justus	↑	yes	yes	yes	yes	no
+ ✓	Duane Dudley		yes	yes	yes	no	no
✓	Earl D. Mann		no	yes	yes	no	no
✓	Edward VanEsuy		yes	yes	yes	no	no
✓	Frederick Blechmann		no	yes	yes	no	no
✓	Larry McKenzie		yes	yes	yes	no	no
✓	Nick VanOff		yes	yes	yes	yes	no
	Richard B. Anderson		yes	yes	yes	yes	yes
✓	Richard Miller		yes	yes	yes	yes	no
✓	Richard Welch, Jr		no	yes	yes	no	no
✓	Ross Beck		no	no	no	no	no
✓	A. F. Eccles		yes	yes	yes	yes	yes
✓	Steve Buchanan		yes	yes	yes	yes	no
✓	W. R. Wattle	↓	yes	yes	yes	yes	no
✓	Wayne Burke	NO	yes	yes	yes	yes	yes
	Scott McChelenny						

Wrencher #39

Bill Evans

Donna G. West

John Barton

Rondell Hanson

no	no	no	no	no	no
↑	no	no	no	no	no
↓	no	no	no	no	no
no	no	no	no	no	no

Tane Bank

1991

E # 33

Apr May June July Aug Sept

Dorris Nead	(NO)					
Don Trstus 1883 - 134 ✓	YES					
Duane Dudley	(NO)					
Edward Vanevery Earl Cohen	(NO)					
Fredrick Bleckman	(NO)					
Hollis Day to Earl Mann	(NO)					
Wally McKenzie	(NO)					
Nick Varnoff 1884 - 101 ✓	YES					
Richard B Anderson 1883 - 134	YES					
Richard Miller	(NO)					
Rose Beck	(NO)					
S F Eccles 1882 - 183 1884 - 91 1902 - 83 ✓	YES					
Scott McIlheney	(NO)					
Steven Buchanan	(NO)					
W R Watts - Chris Naugh	(NO)					
Wayne Burke 1883 - 134 ✓	YES					

VRANCHER # 39 Tinker

Bill Evans 1884 - 124 1902 - 83 ✓	YES					
Dwain R Billa 1884 - 124	(NO)					
John Bortow 1886 - 89	YES					

COVE # 33

wayne urke

1942

NAMES	APR	MAY	JUN	JUL	AUG	SEP
RICHARD B ANDERSON ✓	yes	yes	yes	yes		
ROSE BECK						
FREDRICK BLECHMANN						
STEVEN BUCHANAN						
WAYNE BURKE ✓	yes	yes	yes	yes		
HOLLIS DAY						
DUANE DUDLEY						
S F ECCLES ✓	yes	yes	yes	yes		
DERRIS HEAD						
DON JUSTUS ✓	yes	yes	yes	yes		
SCOTT MCILHENNY						
LARRY MCKENZIE						
RICHARD MILLER <i>James Figgie</i>						
NICK VANOFF ✓	yes	yes	yes	yes		
W R WATTS						
<i>Transfer to Haugh 42-A</i>						
<i>John D Maine ?</i>	no					

ALL IN YES OR NO - 5561 COVE 33 1993

NAMES	APR	MAY	JUN	JUL	AUG	SEP
RICHARD B ANDERSON	No		Yes	Yes	Yes	Yes
ROSE BECK	No		No	No	No	No
FREDERICK BLECHMAN	No		No	No	No	No
PAUL BLOOD <i>Randy W Johnson</i>	No		No	No	No	No
~~DUNCAN~~ STEVEN BUCHANAN	No	<i>MAY</i>	No	No	No	No
HOLLIS DAY	No		No	No	No	No
~~DUANE DUDLEY~~ <i>Sold to Bell Ranch</i>	No					
S F ECCLES	No	<i>DITCH</i>	Yes	Yes	Yes	Yes
<i>Change as surface</i> JAMES K FIGGE	No		No	No	No	No
DERRIS HEAD	No	<i>DITCH</i>	No	No	No	No
DON JUSTUS	No	<i>DITCH</i>	Yes	Yes	Yes	Yes
JOHN D MAINE	No	<i>DITCH</i>	Yes	Yes	Yes	Yes
~~SCOTT MC ILHENNY~~ <i>changed to well</i>	No	<i>DITCH</i>	No	No	No	No
NICK VANOFF <i>Change as surface water</i>	No	<i>DITCH</i>	Yes	Yes	Yes	Yes
<i>Wayne Burke</i>	No	<i>O</i>	Yes	Yes	Yes	Yes

1994

Wayne Moore

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

January 6, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Kathleen L and William R Ratliffe
21165 SW Killarney Ct
Tualatin, OR 97062

Dear Mr. and Mrs. Ratliffe :

Our office recently received an application for permit in the name of Kathleen &/or William Ratliffe attempting to appropriate 0.10 cfs of groundwater for the irrigation of 5.0 acres of land near Bellevue. The application has been data entered and assigned an application number of 37-22672.

The proposed point of diversion and place of use are located within the Eastern Snake River Plain Moratorium Area and the Big Wood River Ground Water Management Area. In these areas, the Department can not appropriate water for consumptive uses, such as irrigation, unless the applicant can provide acceptable mitigation to prior rights. A mitigation plan must offset the depletion of water associated with a new appropriation in quantity, time, location (in the case of groundwater both the ground-surface site and the aquifer from which the water is being withdrawn), and/or quality to protect senior water right holders. An adequate mitigation plan must be supported by technical analysis and/or modeling estimating timing, quantity, and location, of the proposed depletion of the protected source. For your reference, I have included a Department administrative memorandum (application processing memo # 72) that discusses evaluating mitigation plans. The "mitigation plan" submitted with the application does not include any technical analysis or modeling estimate, but appears to be based on the idea of allowing a new groundwater appropriation because the applicant's surface water delivery is unavailable.

As currently filed, the Department cannot continue processing application for permit 37-22672 because an adequate mitigation plan is not included and the Department cannot ascertain that existing groundwater and surface rights will not be injured. Idaho Code 42-204 and Water Appropriation Rule 35 indicate that the Department can hold an application for permit for 30 days while awaiting additional information, such as an adequate mitigation plan, to supplement the application. After the 30 days, if the additional information is not submitted, the Department can take action to void the application. **Please note that our office will hold application for permit 37-22672 for 30 days to allow for the submittal of an adequate mitigation plan. If after 30 days an adequate mitigation plan is not received, then the Department will initiate action to void application for permit 37-22672.** As an alternative, you may withdraw the application and request a refund of the filing fee (paid by Brockway Engineering).

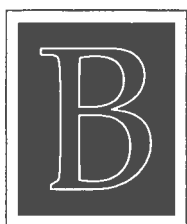
If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

Enclosure

cc: Zach Latham – Brockway Engineering
Fritz Hamerlee
Doug Jones – IDWR (w/o enclosure)



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

~~RECEIVED~~
~~DEC 22 2011~~
~~DEPT. OF WATER RESOURCES~~
~~SOUTHERN REGION~~

RECEIVED
DEC 23 2011
DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 21st, 2011

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

RE: Ratliffe- Water Right Permit Application.

Dear Allen,

Attached is a new water right permit application involving existing Big Wood River irrigation water right 37-577BY in the name of Kathleen and William Ratliffe. The permit application seeks to offer all of Big Wood River water right 37-577BY (0.10cfs) as mitigation for a new ground water right permit which will allow the Ratliffes to pump 0.10cfs from an existing well to irrigate their property. Historically, water right 37-577BY has been delivered to the Ratliffe property through the Cove Canal. Because the Cove Canal no longer can convey water to the Ratliffe property, the Ratliffes seek to leave water right 37-577BY in the Big Wood River and irrigate on their property using ground water as outlined in the attached permit application. For a full explanation, please refer to the mitigation plan attached to the permit application.

Also included is a check for \$100.00 to cover the permit application fee. Please copy our office on all correspondence regarding this water right permit application. Don't hesitate to call our office should you have any further questions or comments. Thanks for your time and assistance on this matter.

Regards,

Zach Latham, M.S., Hydrologist

Enclosures: (1) Water Right Permit Application and Map
(1) Mitigation Plan
(1) Brockway Engineering Check # 10480

Cc: Bill Ratliffe
Fritz Haemmerle

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