



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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APR 30 2012
BUTCH OTTER
Governor

GARY SPACKMAN
Interim Director

Roger Musser, Watermaster 43-C
917 Park Ln
Pocatello, ID 83201

Watermaster-

Last year the Department received two applications for transfer proposing to add an additional point of diversion from rights currently diverted from a ditch located in TWP 13S RNG 26E Sec. 14 NENENE. Because these transfers concerned water rights within your water district, per 42-222 IDAHO CODE, we solicited comments from you. From your comments, follow-up meetings, and phone conversations, with the Department, it appears that your concerns are generally concerning mitigating ditch loss, at the current authorized point of diversion, when rights are diverted further downstream. The Department has made calculations regarding loss, and has determined that a total of 0.09 CFS (4.5 inches) must be left in the ditch from Cordell Sheridan's rights (43-294, 43-295, 43-296B, 43-12992) and a total of 0.16 CFS (8 inches) must be left in the ditch from Nolan Branch's rights (43-293A, 43-296A, 43-302, 43-12994) when they are in priority and being taken at the proposed points of diversion. We have addressed this in a condition on the (draft) approvals for the pending transfers, which we would like you to review. Here is copy of the draft conditions:

(Sheridan – Transfer 77024)

When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 36 NENENE, the watermaster shall deliver 0.09 cfs from the following rights: 43-294, 43-295, 43-296B, 43-12992 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.

(Branch – Transfer 77075)

When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.

If you have any comments regarding this condition, please notify Allen Merritt or I at the Twin Falls Office by the 14th of May. At that point the Department will move forward with approval of these transfers.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Cooper', with a long horizontal stroke extending to the right.

Jeff Cooper

CC: Nolan Branch, Cordell Sheridan, File T77024, File T77075