



State of Idaho

DEPARTMENT OF WATER RESOURCES

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April 9, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CHARLES E. BROCKWAY
BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST SUITE 4
TWIN FALLS ID 83301

RE: Application for Permit 37-22685

Dear Chuck:

I read the letter you wrote on March 9, 2012, concerning the processing requirements for application for permit no. 37-22685, which you submitted for Harry and Shirley Hagey. I appreciate your feedback. Following your submittal of the additional information, IDWR issued a water right permit on April 2, 2012.

I first want to apologize for the use of the term "flawed" in IDWR's review memo for the Hagey application. Although the term was used as a generalization of a set of prior observations, not as a characterization of your work, it was still a poor reference. I see no flaws in your effort.

In your letter, your observations about the level of documentation and review of an application for permit to appropriate water are well taken. Nonetheless, carefully quantifying the proposed flow rate in the application is important because the agency must ensure an application is not filed for speculative purposes and that the application is in the local public interest. In other words, there must be a reasonable expectation that the amount of water requested will be put to beneficial use. We also recognize, as you point out, that the "level or specificity of information" required for an application for permit is not likely to be the same as for a beneficial use field report.

As IDWR continues to explore what information is needed to issue water right permits and licenses for heating and cooling, your suggestions would be welcome. I recognize you have experience designing and evaluating water systems for heating and cooling. Please call or email me or my staff if you have ideas, concerns, or questions.

Sincerely,

Gary Spackman, Director
Idaho Department of Water Resources