

Memorandum

Date: February 1, 2012

To: File 37-8752

From: Craig L. Saxton

RE: Permit 37-8752 – Licensing Review

Beneficial Use:

On January 17, 2012, Shelley Keen and I had a conference call with Charles G Brockway and Jim speck regarding the extent of beneficial use developed under permit 37-8752. The result of the meeting was that Mr. Brockway was going to gather power record data to determine the diversion volume put to beneficial use under permit 37-8752.

On January 25, 2011, Charles G Brockway submitted, on behalf of the permit holder, a technical memorandum that addressed the historical diversion volume developed under permit 37-8752.

Mr. Brockway's technical memorandum concluded that, on average, 2.01 AF per acre had been applied to the place of use from 2004 thru 2011. The data was reviewed by IDWR and determined that the analysis was acceptable.

IDWR also suggested that the permit holder submit records of expenditure on landscaping during the authorized development period to show that the permit holder was applying water to non-native vegetation. On Mr. Brockway did not provide any additional records of expenditure, however, field -31-2012, Jim Speck provided a cost summary for landscaping Flowers Bench from 1991 through 1997. The data is minimal but is supported by exam photos taken in October 1996 and October of 2000. The exam photos in the file show non-native vegetation planted on the place of use. The extent of that vegetation is not clear in the field exam photos, but the 2004, 2009, and 2011 aerial photography support that the vegetation seen in the field exam photos is the vegetation that covers 14.5 acres.

Based on the volume diverted and that evidence that the permit holder has planted non-native vegetation, IDWR can support the historical watering practice as irrigation and issue the license as such.

Amendment Needed:

Permit lists two points of diversion in the SWNW of section 1 and they are actually in the SENW of Section 1.