



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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December 5, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JAMES P. SPECK
SPECK & AANESTAD
PO BOX 987
Ketchum ID 83340

RE: Water Appropriation Permit 37-8752

Dear Mr. Speck,

The Idaho Department of Water Resources (IDWR) is in the process of reviewing permit 37-8752 for licensure. Through the review process, it was determined that additional information is needed to confirm the extent of beneficial use developed during the authorized development period for the permit.

Permit 37-8572 authorized irrigation of 14.5 acres and domestic use for up to 15 homes. Proof of Beneficial Use was initially due by November 1, 1996, but an extension was granted extending the proof due date to November 1, 2000. On October 6, 2000, Brockway Engineering conducted a field examination in connection with the permit. The examination reported that 5 lots had been stubbed for domestic development and that an irrigation system had been installed in areas of trees, shrubs, and grass patches.

After reviewing the file and available aerial photography, it appears that a significant portion of the irrigation system is installed within native vegetation. In addition, it is not clear that the ground has been consistently or substantially irrigated. Infrequent watering of native vegetation may not equate to irrigation of crops or landscaping, and it probably should be treated differently to prevent future enlargement of the consumptive use. One method would be to limit the authorized diversion volume to what has been historically diverted instead of to IDWR's irrigation standard. Therefore, in order to determine the extent of beneficial use developed in connection with the permit, IDWR needs to verify the volume of water that was diverted during the authorized development period.

The October 6, 2000, field examination report verified installation of a Water Specialties Corporation Propeller Meter, Model ML04. This meter contains a totalizer. Please submit any documentation showing the date the meter was installed, along with any historical records that document the meter readings from October of 1992 thru November of 2000.

Secondly, please submit power usage records from October of 1992 thru November of 2000. These records can be used to help IDWR determine the volume of water pumped during the authorized development period.

Please submit the requested information by **January 6, 2011**. If the requested information is not received by January 6, 2011, IDWR may be restricted to issuing a license for less than could have been authorized with the additional information.

Please contact me if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig L. Saxton
Water Rights Supervisor

Cc: CONSTANCE KEMMERER
PO BOX 721
TETON VILLAGE, WY 83025