

MEMORANDUM

Date: September 29, 2011
To: Application for Permit 71-10941 (Lee/Brown) File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Application for permit proposes to divert 0.3 cfs from Lost Creek for irrigation and stockwater uses associated with two existing ponds on a ranch located approximately 17 mi. south and 6.5 mi. east of Stanley. An existing pipeline will convey the water to the ponds where the water will then be pumped into an irrigation system to irrigate 15 acres within a new 160 acre permissible place of use. Companion application 71-10940 for irrigation and stockwater from an existing well was filed at the same time for the same use. The two permits will have a combined limit of 0.3 cfs for 15 acres. A private agreement will limit the irrigation season for this permit from 7/1 to 10/31, after that date any irrigation from the ponds will be groundwater. (see attached email dated 9/21/2011.)

Overlap analysis, right 71-7178 allows for on-stream storage of water on the old Lost Creek channel in the same two ponds described in this application. Right 71-7179 allows for the diversion and storage of groundwater into these same two ponds described by Permit 71-10929, which allows the diversion of water from the current Lost Creek channel into these same two ponds.

- **Effect on Other Water Rights:**
None anticipated. Lost Creek sinks and never reaches the Salmon River. The only other rights, other than those owned by the applicants, listing Lost Creek as a source are diverted further upstream.
- **Sufficiency of Water Supply:**
The source appears to be adequate for the proposed use.
- **Application Made in Good Faith:**
The ponds have already been developed and the system is in place. The applicants have been in discussions with various agencies with no negative comments or concerns.
- **Financial Resources:**
The application is for an existing, developed system and any additional investment should be minimal.
- **Local Public Interest:**
No issues anticipated. Application was subject to public notice and protest and no protests or negative comments were received. In addition, Morgan Case of IDWR Planning was notified with no negative comments received. Applicants have also signed a private agreement with various agencies that elected not to protest the rights. (see attached email dated 9/21/2011.)
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-203A Idaho Code or the Water Appropriation Rules (IDAPA 37.03.08) preventing processing of this application.