

Comment Report

73-11961

1. csaxton 10/4/2011 8:47:31 AM POD

Comment: Updated Shape

2. csaxton 10/4/2011 10:11:16 AM POU

Comment: Updated Shape

3. csaxton 10/4/2011 Diversion Rate

Comment: Diversion rate requirements for the expansion are discussed in Exhibit 17, "UPPER PAHSIMEROI HATCHERY EXPANSION CONCEPTUAL DESIGN REPORT, Draft Final Jan 2003", Section 2.3 Growth Projection and Facility Requirements. This analysis supports beneficial use of both well water for 13 cfs and surface water for 20 cfs, to be used in combination. In other words, permit 73-11961 provides water in addition to that provided by surface water rights 73-2168 and 73-7051.

4. csaxton 10/4/2011 Amendment Needed

Comment: The final order references three points of diversion under finding of fact #3, but the permit only lists one POD. Even if the intent was to develop three PODs in the same 40 acre tract, we need an amendment anyway since it was permitted to a 10 acre tract and one of the PODs falls outside of the permitted 10 acre tract.

5. csaxton 10/4/2011 Diversion Volume

Comment: The design volume can be found calculated using Exhibit 17, "UPPER PAHSIMEROI HATCHERY EXPANSION CONCEPTUAL DESIGN REPORT, Draft Final Jan 2003", page 6, table 2.

The Recommended Decision and order in the matter of Application for permit no 73-11961 signed January 9, 2004 states the design capacity will require a volume from ground water of 6808 AF, using the figures in Table 2 referenced above. There must be some rounding error because Brockways report uses those same numbers in table two and gets an annual diversion volume of 6669 AF. And when I make the calculation I get 6657 AF. I will use Brockways number for licensing.

6. csaxton 10/4/2011 Condition Met

Comment: The follow condition was met per statement on the extension of time request submitted on 5-18-2006

The right holder shall comply with the requirements of IDAPA 37.03.08.040.05.e.ii. by submitting copies of applications for other needed permits, licenses, and approvals, and shall keep the Department of Water Resources apprised of the status of the applications and any subsequent approvals or denials as it develops the proposed water use.

7. dgibson 6/20/2006 Extension of Time

Comment: A request for extension of time for filing proof was received and granted extending proof to June 1, 2011 based on due diligence.