

MEMORANDUM

Date: September 28, 2011
To: Water Right File 27-7541
From: Shelley Keen *SK*
Re: Water Right Not Supplemental

The original filing for Right 27-7541 may have been intended to supplement canal shares. However, the permit had no conditions requiring the right to be supplemental, and there is no indication that it was developed as a supplemental use. In fact, the newspaper article in the file indicates the ground water is used as the primary irrigation supply.

Tuesday September 27, 2011

Surplus water recharges aquifer, helps neighbor

By Sven Berg

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FIRTH -- Ford and Carol Call's pond means many things to many people.

To friends, family and the occasional polite stranger, the 2-acre pond south of Firth is a remarkably accessible mini-oasis in the summer -- a place to fish and maybe eat a picnic lunch without a major excursion into the wild.

To people who keep their eyes on eastern Idaho's water supply, it's a small source of free aquifer recharge.

But to Melvin Coles, a potato farmer who once leased a field from one of the Calls' neighbors, the pond is a reminder of a successful harvest that almost didn't happen. One harvest season several years ago, before the pond even existed, the same water right that fills the pond may have saved Coles' crop.

It was a drought year, just one in a long run of drought years. Because of high demand and tight supply, the water that was supposed to irrigate Coles' crop was shut off. With only weeks left before it was time to take his potatoes out of the ground, Coles didn't have many options. He was worried that losing the season's last surge of water would stunt his crop, if not ruin it completely.

"If you don't finish it out, you rough them up. They just don't do very good," Coles said.

That's when Ford Call helped out. When he learned of Coles' plight, Call diverted his own water through a nearby canal and into the field that Coles was leasing.

In Idaho, water is a costly commodity, and Call could have easily exploited Coles' misfortune to make a bit of money. But he didn't charge Coles a penny.

"It worked out pretty good," Coles said. "It just seemed like it helped."

In 1990, Call, now 91, established a groundwater right and dug a well that created a surplus of surface water supply.

Idaho water law holds that newly established rights -- usually for



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Ford Call has used part of his
water right to recharge the
aquifer and fill an old gravel
pit to create a pond south of
Firth, which he stocks with
trout.

groundwater -- are inferior to older rights. In certain circumstances, the holders of senior rights can demand that the state cut off junior right-holders' access to water.

A few years after he helped Coles finish his potato crop, Call reasoned that his own groundwater right would be safer if he took the pre-emptive step of using his now surplus surface water to recharge the aquifer.

"Using that water to recharge is just insurance for me," Call said. "This would be a good way to ensure that I get water, because I could prove that I was putting back in as much or more than I was taking out."

Call diverted the surface water into a gravel pit on a piece of property he owns next to U.S. Highway 91, forming a small pond. Over the years, the pond has grown into something of a private park, featuring a picnic table, a fire pit, a grassy area and even a place to park recreational vehicles and empty their holding tanks.

Every year, the Calls stock the pond with fish from a local trout farm -- despite the fact that they don't fish. Mostly, they only allow family and friends to fish in the pond, Ford Call said, but every so often they have allowed unknown families to use it.

For the Calls, the little park is something of a hideaway without the inconvenience of straying too far from home. The fact that they've done some good with their extra supply of water just makes it more enjoyable.

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