

MEMO

TO: File 67-14495

FROM: CPadilla

DATE: November 30, 2010

RE: Licensing Review Memo (see updated licensing memo dated 4/20/11)

Time Line:

Application for Permit Received: 10/4/04

Permit Approved: 12/21/04

Proof of Beneficial Use Received: 4/22/05

Field Exam Conducted: 5/6/05

Conditioning:

Comment	Water Permit Condition Report
Carry to license. Update to say irrigation under this right is authorized under the irrigation component.	WB5 Domestic use is for a 29 unit mobile home park and 1 home and does not include lawn, garden, landscape, or other types of irrigation.
Carry to license. Edit to include "for irrigation uses".	WB7 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 9.0 af at the field headgate for the lands above.
Carry to license	105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
Doesn't carry to license	046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
Carry to license	065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
Carry to license.	R61 This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
Carry to license	01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
Changes to 103 at licensing.	121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

POU Overlap Analysis: There is one water right that overlaps this area, 3-2042A. I confirmed this statement by performing an overlap analysis and this is also the conclusion that Dan Nelson reached in his field exam. 3-2042A is for the irrigation of 8 acres from the Snake River which fully overlaps this right. There will be conditions added to the license to address the overlap.

PD Summary:

Tag #	Location	Rights that Use PD	Uses
A0004433	NWSW Sec. 11 9N 5W	67-14495	Domestic and Irrigation
A0004434	NWSW Sec. 11 9N 5W	67-14495	Domestic and Irrigation

Volume and Diversion Rate: The field examiner recommended a volume of 9 af for the irrigation based on 4.5 af/acre and 14.5 af for the domestic use based on indoor domestic needs for 22 homes and 8 RV spaces.

The diversion rate is based on the hp equation theoretical calculations and pump curves are very close or right on the same estimate.

This license will be based on the field examiner's recommendations.

Amendment Needed?: Yes, the POU needs to be amended to include the SWNW.