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February 10, 2011

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WATER RESOURCES
WESTERN REGION

John Westra
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Re: Contested Application for Permit 67-15030

Dear John,

On behalf of Tom and Norma Grossen, this letter provides additional information requested in your letter dated July 14, 2010. This following information supports Application for Permit 67-15030 proposing diversion of additional surface water for irrigation of 150 acres.

In response to questions one and two regarding water availability, applicants are aware that the amount of water available from the Little Weiser River, via Grays Creek Ditch, is subject to seasonal run-off and that natural flows decline significantly as the irrigation season progresses, typically requiring watermaster regulation of junior water rights in June or early July. The applicants are not proposing diversion of water in conflict with the Idaho's priority system and are aware that the proposed diversion will be regularly subject to curtailment, which is no different from other junior-priority diversions from the Little Weiser River.

In response to questions three and four regarding the conveyance capacity of Grays Creek Ditch and impact to C. Ben Ross Reservoir, the applicants propose to divert this new water right only when water is available and in priority. No senior rights should be curtailed or reduced in order to deliver this junior application. This application proposes diversion of natural flow only, and does not suggest delivery of additional storage water from the reservoir into Grays Creek Ditch. Senior water rights, including those owned by Little Weiser Irrigation District for filling C. Ben Ross Reservoir, should be satisfied prior to delivering water under this junior application. Providing the watermaster is delivering rights within their respective priority, we do not anticipate any impacts to C. Ben Ross Reservoir diversion to storage or subsequent delivery of stored water.

Mr. Grossen is one of the major waterusers diverting water from Grays Creek Ditch. He explained that in his opinion, based on years of experience, the majority of the ditch has capacity for conveying the additional flow sought by this application. There is an approximate ¼-mile section near town that is flatter and requires maintenance, which he has agreed to provide at his cost. It is possible that other sections may require some additional maintenance in order to convey the additional flow, and Mr. Grossen has agreed to perform this maintenance. If ultimately the ditch cannot convey the additional flows, Mr. Grossen understands that his diversion may be limited.

February 10, 2011

Thank you for your consideration in this matter John. Please let me know if you have any questions.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Tom and Norma Grossen

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