

MEMO

TO: File 63-32219

FROM: CPadilla

DATE: January 18, 2011

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 8/4/2005

Permit Approved: 1/19/06

Proof of Beneficial Use Received: 12/30/10

Field Exam Conducted: 12/16/10

Conditioning:

Comment	Water Permit Condition Report
Carry to license, actual WBZ = 129-189'	Water bearing zone to be appropriated is from 120 to 200 feet.
Actual lots = 178	X01 Domestic use is for lawn irrigation for 187 homes.
Carry to license	071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
Carry to license, three lots don't have homes yet	070 The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
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.
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.
Surface water form Settlers Irrigation Dist is still used primarily. 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 for irrigation 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.
Delete	046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
Delete	26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
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.

POU Overlap Analysis: The only overlapping rights are surface water rights from Settlers Irrigation Co.

PD Summary:

Tag #	Location	Rights that Use PD	Uses
D0038622	4N 1E Sec. 30 SWNE	63-8718 and 63-32219	Irrigation

Volume and Diversion Rate: The licensed volume will be based on the field examiners recommendation as well as the diversion rate.

Amendment Needed?: No.

JPEG of POU:

The red dots on the map indicate a lot where a home has not been constructed. The condition that requires a home to be in place before irrigation appears to have been complied with as the lots do not have lawns.

The three lots have been stubbed-in and the department's stub-in policy allows for these lots to be included in the license.

