

MEMO

TO: File 63-11831

FROM: CPadilla

DATE: November 18, 2010

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 5/14/1992

Permit Approved: 2/5/1996

Proof of Beneficial Use Received: 2/9/1996

Field Exam Conducted: 9/22/06

POU Overlap Analysis: Note that there is SW from NYID that overlaps the POU for this right. There is also a permit that overlaps the POU of this right. Proof was submitted for that permit on 6/28/2010. No field exam has been conducted for that permit so no overlapping conditions will apply.

<i>Right</i>	<i>Status</i>	<i>Diversion Rate</i>	<i>Source</i>	<i>Acres</i>	<i>Priority</i>
63-11874	Permit	0.72	GW	36	6/25/1992

Conditioning

Comment	Water Permit Condition Report 63-11831
Confirmed SW is still in place as of field exam. Carry to license <i>update to 105</i>	This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
1992 Temp approval was for 40 acres in the SWSE of 3N1E Sec. 33. Updated imagery shows actual irrigation of 40 acres in the SESW and SWSE QQs. Even though the legal description is different, the actual area irrigated is the same. Remove condition from license.	This permit does not authorize the development and irrigation of land not previously irrigated under prior temporary approval of this application.
Developed a WBZ of 250-300'. Update condition in license, going deeper in the aquifer in this area will not cause an enlargement since the zone of concern is 200' or shallower.	Water bearing zone to be appropriated is 160 to 220 feet.
This well has been assigned WMIS #101250. In WMIS it shows that the measurement has been waived (5). This tells me that the applicant has complied with the condition but has been granted a waiver from reporting measurement info. Modify condition to 01M thru order.	066 Prior to diversion of water under this right, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to use power records to determine the amount of water diverted from each point of diversion listed under this right.
Remove from right, all other Basin 63 drought permits weren't held to this condition.	067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
Update condition to standard R65	03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
Carry to license	004 The issuance of this right does not grant any right-of-way or easement across the land of another.

Comment	Water Permit Condition Report 63-11831
The well was completed in 1993 and was drilled to 256'. The it appears that the well was deepened in 2005 to 276'. SPFs argument is that resource protection authorized the well deepening therefore overriding this condition. I tend to agree with SPF. This condition will not carry to license.	068 This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
Remove from license	069 Failure of the right holder to comply with any condition of approval is cause for the Director to void this permit.
This will carry to license. Right holder still has SW delivered to the POU.	065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

PD Summary

Tag #	Location	Rights that Use PD	Uses
D0039124 (WMIS #101250)	SWSE Sec. 33 3N1E	65-11831 and 65-32232	Irrigation

Season of Use: Current standard season is 3/1-11/15

Volume and Diversion Rate: The field examiner calculated the system capacity to be 0.85 cfs. The permit is limited to 0.80 cfs and will be licensed accordingly. The volume was calculated using the standard of 4.5 af/acre.

Amendment Needed? YES. The POU needs updated to reflect the sliver in the SESW QQ.

JPEG of POU/PD: 1995 Ada County Imagery

