

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, August 26, 2010 11:17 AM
To: Rex Barrie, WD-63
Subject: Comment Letters
Attachments: Comment Letter to WD63.Doc; 63-33400 APP.pdf

Please review the attached information and comment as necessary. If you have any questions regarding the attached information, please feel free to contact our office.

Thank You,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

August 26, 2010

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR, ID 83669-0767

RE: Application for Permit: 63-33400

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

63-33400 background information for watermaster comments:

Rivers End Subdivision on Eagle Island – Proposed project for 17 shallow ground water ponds next to the Boise River. Started with 2002 application 63-31515 for the storage capacity of the ponds, to be mitigated by transfer application 70024 to reduce irrigation under a senior river right (63-32614, applicant's portion of old right #63-270). The package was hung up for SRBA etc. details, now cleared up & ready to proceed. The ponds have already been developed.

The transfer application is being withdrawn and replaced with application 63-33400. This newest application seeks approval for consumptive use from the ponds: 42 af evaporation losses. Also seeks approval for a pump station at 1 of the ponds to irrigate 67 acres in the subdivision place of use. Includes mitigation plan in application narrative item #12.

63-31515 was previously advertised without protest. Lee Sisco provided his comments on that one ("standard watermaster conditions, looks like mitigation has been covered"). Does not require additional watermaster comments.

Consumptive use mitigated for both applications:

- 63-31515 for capacity of ponds, ponds cover 12 acres (treat like 12 acres of irrigation).
- 63-33400 for pond evaporation & irrigation of 67 acres.
- Combined equivalent of 79 acres of irrigation.
- Mitigate both by leaving all 79 acres of irrigation water under 63-32614 (1865 priority) undiverted in the river.
- If applications 63-31515 and 63-33400 are approved, 63-32614 will be changed from irrigation to mitigation to show it cannot be diverted but is protected against forfeiture per IC 42-223(10).

Application 63-33400, if approved, includes information that will be reduced in scope:

- 18 points of diversion: 17 ponds & 1 irrigation pump station at a pond. Not 25 points listed on application.
- Storage volume 42 af. Not 343.5 af listed on application. Most of that is implied irrigation diversion volume not included with application approval: 67 acres x standard 4.5 af/acre = 301.5 af; but 343.5 - 301.5 = 42, which is the approvable storage amount.
- If 63-33400 is eventually licensed, irrigation diversion volume will be quantified at that time based on actual acres irrigated and irrigation system capacity that is developed.