

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

May 3, 2010

Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Rod Rinker water right applications
Project No. 194-02-2000

RECEIVED

MAY 05 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Corey:

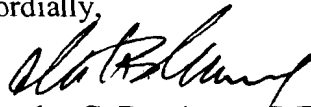
I received your letter sending back the entire application package because of some uncertainty about the first-year fill procedure. As stated in the narrative, the degree to which the pond will fill with subsurface water cannot be known at this time and will depend on aquifer levels at the time of construction. For similar applications in the past, the Department has included conditions regarding the reduction of acres required in order to fill the pond during the first year. I do not see why the Department cannot do the same thing with this application, but apparently you are asking the applicant to propose something. Here is the proposal:

The applicant will reduce the acreage under 37-8322 or 37-577AK in the first year of pond construction to make up the difference between 9.6 acre-feet and the volume of the pond which naturally fills with subsurface water. The amount of the acreage reduction will be calculated on the basis of 2.5 acre-feet for each acre reduced.

Relative to 37-8322, I believe that a transfer is required to split this right and modify the place of use, and particularly the shape file so that it no longer covers land which Mr. Rinker does not own. I made this change on Part 1.A. of the application.

With these clarifications, I would request that the application package be processed expeditiously.

Cordially,


Charles G. Brockway, P.E.

Cc: Rod Rinker

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