

Cox, Sharla

From: Jim Speck [jim@speckandaanestad.com]
Sent: Monday, November 03, 2008 1:45 PM
To: Cox, Sharla
Cc: 'Joe Clark'; 'Judy Galfano'
Subject: RE: DRAFT Approval for Flying Joseph Ranch

Attachments: draft permit comments.doc



draft permit
comments.doc (29 ..

Sharla,

I have added some comments to the proposed conditions. Please forward them on with the file to the State office. Who will review it there? Thanks for all your help.

Jim

James P. Speck
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-----Original Message-----

From: Cox, Sharla
Sent: Monday, November 03, 2008 12:54 PM
To: Jim Speck

Jim, enclosed is a DRAFT of an approval of the Permit to Appropriate Water. Please note, this is only a DRAFT and could be changed when it arrives in the state office for final approval. I am forwarding the

file today and then the State office will review and finalize the official approval.

<<73-12146.RTF>>

Sharla

Sharla Cox
Administrative Assistant
900 N Skyline Dr. Ste A
Idaho Falls ID 83402
208-525-7161 - Phone
208-525-7177 - Fax
sharla.cox@idwr.idaho.gov

Attachment(s): 73-12146.RTF

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 73-12146

Priority: March 28, 2008

Maximum Diversion Volume: 148.0 AF

This is to certify, that FLYING JOSEPH RANCH LLC
C/O JUDY GALFANO
7213 PERIMETER RD S
SEATTLE WA 98108

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	148.0 AF
AESTHETIC STORAGE	01/01 to 12/31	148.0 AF
WILDLIFE STORAGE	01/01 to 12/31	148.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE¼NE¼SE¼ Sec. 19 Twp 13N Rge 23E, B.M. CUSTER County

PLACE OF USE: RECREATION STORAGE / AESTHETIC STORAGE / WILDLIFE STORAGE

Twp Rge Sec	NE			NW			SW			SE			Totals
13N 23E 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2010**.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
4. 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.
5. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
7. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.

Comment [JPS1]: I don't think this applies since the "diversion" is simply the excavation into the water table – there is no flow into the reservoir

Comment [JPS2]: Same comment – there is no flow of water "entering" the reservoir which could be measured.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 73-12146

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this _____ day of _____, 20_____.

DAVID R. TUTHILL, JR., Director