

MEMORANDUM

Date: August 21, 2008
To: Water Right File 75-7361
From: Aaron Marshall
Re: Licensing Review

Permit 75-7361, in the names of Robert and/or Jean Vehn, was approved for 10 acre-feet of water for aesthetic storage and 0.10 cfs for diversion to storage from springs tributary to Fourth of July Creek. The permitted point of diversion and place of use are identified in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T24N, R22E. The permit application was advertised indicating the uses as recreation and recreation storage. The permit proof report lists the uses as recreation and recreation storage.

The field examiner recommended that this right be licensed for 7.5 acre-feet for recreation, 7.5 acre-feet for recreation storage, and 0.10 cfs for diversion to storage. A use for recreation is not warranted since a beneficial use was not developed above and beyond that developed for recreation storage. The examiner identified the point of diversion and place of use in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T24N, R22E. This location is supported by the SRBA claim for this permit made by Robert Vehn and by the attached letter from Robert Vehn to Ernest Carlsen in 1990. This clarification is necessary since a pond of approximately 10 acre-feet is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T24N, R22E, as identified by the permit. This pond was photographed by the examiner and included in his report but was not described.

The volume for this right should also include a portion for evaporation loss. The consumptive irrigation requirement for this area is 2.5 acre-feet per acre, which accounts for evapotranspiration. Using the simplified method for a transfer proposing to change the nature of use of a right from irrigation to storage, a one-to-one exchange in land area to surface area will generally cover annual evaporation losses. The surface area for the two ponds is approximately 0.51 acres. Applying the simplified method, the annual evaporation loss equates roughly to 1.3 acre-feet (2.5 acre-feet per acre X 0.51 acres).

Using the ETIdaho web site, <http://www.kimberly.uidaho.edu/ETIdaho/>, the average annual precipitation deficit is approximately 22.6 inches based on 81 years of record at Salmon, ID. Multiplying this value by the pond surface area provides an estimated evaporation loss of 11.5 acre-inches or 0.96 acre-feet per year.

Due to a lack of available information, water seepage losses cannot be inferred and an attempt at quantification would be a pure assumption. While it appears that the ponds were excavated and constructed with unconsolidated and poorly sorted Quaternary alluvium adjacent to the Fourth of July Creek floodplain, the hydrologic properties of the subsurface and seasonal balance are unknown. However, knowing that the ponds are likely contained by permeable alluvium, and assuming that at least for a portion of each year the ponds are likely perched above the water table, some seepage losses probably occur.

By using the value determined by the simplified method described above, 1.3 acre-feet, the total losses due to evaporation and seepage should be covered for this right.

Water right 75-7361 should be licensed for 8.8 acre-feet (7.5 acre-feet for storage, 1.3 acre-feet for evaporation and seepage) of water for recreation storage and 0.10 cfs for diversion to storage from springs tributary to Fourth of July Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T24N, R22E. An amendment will be necessary to change the nature of use and to change the point of diversion and place of use

Water Right Permit

75-7361

August 15, 2008



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 250 500 1,000 Feet



Mr. Ernest Carlsen, Adjudication Supervisor
State of Idaho
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

Mar. 5, 1990

MAR 6 1990

Department of Water Resources

RE: Notice of Claim. (Refer your letter dated Feb. 28, 1983, to the District Office)

Dear Mr. Carlsen:

The Notice of Claim to a Water Right received by your office on Feb. 27, 1990 and subsequently returned to me with your letter dated Feb. 28, 1990 has already had an Application for Permit filed in 1983. The Application for Permit Ident. No. is 75-7361. This Application was approved on July 20, 1983.

In reviewing the instructions for filing Notice of Claim I see that in Item 15 that I should have included the Permit Ident. No. This has now been entered as required.

There are two corrections/modifications that are required to eliminate any confusion between the Application for Permit, Ident. No. 75-7361 and Notice of Claim to a Water Right. The Place of Use and Place of Diversion are the same and should read, "SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30 T24N R22E B.M." on both Permit and Claim applications. At the time of submitting the Application for Permit we had not experienced three drought years and when asked the purpose of the diversion and storage pond it was suggested to enter "Storage for Aesthetics". Since then the North Fork Fire Protection District has been formed. Both they and we agree that storing water for the purpose of fire fighting in the District is desirable. Therefore, the stated purpose should be changed to read "Storage for Fire Protection" on the Application for Permit.

I am returning my check and the Notice of Claim to a Water Right which has the addition of the Permit ID number. I request that you make the corrections/modifications to the already approved Application for Permit in your files.

Respectfully yours,



Robert E. Vehn
HCR 10 Box 42A
Carmen, Idaho 83462-9703

Phone: (208) 865-2461

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