

Lester, Steve

From: Lester, Steve
Sent: Monday, September 29, 2008 8:15 AM
To: 'IDFG (jdeal@idfg.idaho.gov)'
Cc: 'ckofoed@idfg.idaho.gov'
Subject: Roswell Marsh Application 63-32185

Contacts: IDFG

Jerry:

Based on contacts from you and Clair, the following information is provided to see if we can approve the ground water application for Roswell Marsh.

1) Clair mentioned something about amending the application for less flow, maybe 4.8 cfs instead of 6 cfs. You can amend the application by letter or email stating the maximum rate of flow you want as long as it's less than the amount applied for. This does not require more fees or more legal notices etc.

2) Possible injury to nearby wells can be addressed by conditions of approval along the following lines (Department = Dept. of Water Resources, not Dept. of Fish & Game):

A) The right holder shall conduct a pump test of at least twenty-four hours for each well used as a point of diversion in connection with this water right. The pump test shall be designed and conducted by a qualified professional, such as a hydrologist, geologist, or engineer, and shall be approved by the Department before being conducted. The pump test shall measure all standard parameters associated with pump tests for the right holder's well(s) being tested and for any observation well(s) used for the pump test. The right holder shall keep records of the data collected during the pump test and shall make it available to the Department upon request. This condition is waived if the right holder provides written notification to the Department documenting unsuccessful attempts to obtain permission for pump test activities from owners of wells located within a one-half mile radius from any point of diversion developed under this right.

B) If the right holder is notified by the Department and/or by another well owner that use under this right has allegedly injured a well that was constructed and used prior to approval of this right, the right holder shall cease pumping and shall notify the Department in writing. The Department shall require pump testing by the right holder to determine if the use of this right has injured senior right holders. Pumping under this right shall not resume until the Department has issued written notification to the right holder that either (a) the right holder has demonstrated injury has not occurred, or (b) the right holder has demonstrated injury has occurred but the diversion and use under this right have not caused the injury, or (c) the right holder has demonstrated injury has occurred and that the right holder will mitigate the injury. A mitigation plan must be approved by the Department prior to any mitigation activity.

As you can see, these conditions would require an attempt by you to work with some nearby well owners in the spirit of heading off any potential problems. We cannot require those owners to work with you but hope at least some would want to so you could establish some reliable data.

Pump tests would need to include any production wells you use plus at least 1 or 2 nearby wells. Pump tests, if they occur, can be done by a qualified person from IDFG or from outside your agency. It would be good to see if you can measure static water levels for some domestic wells within 1/4 mile and between 1/4 to 1/2 mile from your proposed well sites before you divert any water. That would give you good baseline data in case anything goes wrong in the future. It would also be good to talk to some of those well owners to see if they have any pre-existing problems for their wells (faulty pumps, water quality issues, pressure problems etc.) so you don't get fingered for future things unrelated to your proposed pumping.

Let me know if you want to reduce the amount of water in your application and if the proposed conditions are acceptable. An email reply is fine. Any reply should come from Jerry or at least show his endorsement since he has been the primary contact person we've been working with. Please call if you have any questions. Thanks.

Steve L.

tel: 334.2190

proposed conditions

Lester, Steve

From: Lester, Steve
Sent: Thursday, September 04, 2008 4:19 PM
To: 'Fort Boise WMA'
Subject: RE: Fish and Game permit Roswell

Hi Clair:

I will send you some information about that soon - hope sometime next week.

Steve

From: Fort Boise WMA [mailto:ftboise@srvinet.com]
Sent: Thursday, September 04, 2008 4:15 PM
To: Lester, Steve
Subject: Fish and Game permit Roswell

Hello Steve,
As per our conversation yesterday, would it be possible to get some guidelines regarding language for pump management to negate impacts to surrounding domestic wells? Also, I would like to know the protocol for amending our application to 4.8 cfs.

Thanks very much for any assistance you can provide,

Clair Kofoed
Regional Habitat Biologist, Fort Boise Habitat District
Idaho Dept. of Fish and Game
208 722 5888

per call → C Kofoed idfg. idaho.gov

9/4/2008