

MEMORANDUM

Date: September 12, 2008
To: Application for Permit 72-16771 (Kent Watson) File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes the diversion of 1.54 cfs of ground water from an existing well for domestic, stock water, irrigation of 71 acres, and a pond for wildlife and aesthetic use located approximately 1.6 miles North and 0.75 miles West of the Highway 93 and Garden Creek Road intersection in Challis. An existing well (drilled in 2007 as a domestic well) located on the property will serve as the point of diversion. The applicant has paid the additional well drilling permit fee to change the well from domestic to irrigation use. Examination of Department records indicates no potential overlaps of groundwater rights with the proposed place of use. There are domestic and stockwater rights located on the perimeter of the one-half mile radius of the applicants well, primarily up gradient. It does not appear that there would be any significant impact by this application for permit. The proposed development of a 29 AF pond includes an estimate of annual evaporative losses from the pond. If application is approved, and a permit is granted, it will be one of the more junior rights in the area.

This application proposes the diversion and use of water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for Domestic, de minimis Stockwater, and Storage purposes and the diversion rate of 1.42 cfs and 71 acres for irrigation use will be applied to the subordination amounts specified in the decree for the Salmon Wild & Scenic River.

- **Effect on Other Water Rights:**

The proposed diversion is already in place. If application is approved, and a permit is granted, it will be one of the more junior ground water rights in the area. Irrigation use should be supplemental to surface water source(s) used for same use.

- **Sufficiency of Water Supply:**

Well has already been drilled (see well drilling permit 846325 & corresponding well log). Applicant indicates that the existing well is adequate to supply the anticipated water need(s).

- **Application Made in Good Faith:**

Well has already been drilled and current application is an attempt to obtain a water right for use from existing well.

- **Financial Resources:**

Well has already been drilled, livestock watering piping and troughs are in place. The irrigation system is being rebuilt. The applicant indicates that most of the system is already in place and that he has the financial resources to complete the proposed development.

- **Local Public Interest:**

The applicant has solicited comments from interested agencies, and comments have been received from the IDF&G, and the IDEQ, with no negative comments or concerns raised.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-203A Idaho Code or the Water Appropriation Rules (IDAPA 37.03.08) preventing processing of this application.