

January 24, 2008

Tiffany M. Hudak  
Moffatt Thomas  
PO Box 829  
Boise, Idaho 83701

RE: Application for Permit

Dear Ms. Hudak:

The Department of Water Resources has received the water right application you filed in the name of Kent and Debra Watson. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. We are returning the application and filing fee to allow you to complete the necessary items. The required information is described below.

The Signature was not provided correctly. The applicant is listed as Kent and Debra Watson but is only signed by Kent Watson. Please note for applications that list more than one applicant with the "and" name connector all applicants must sign the application.

The Place of Use was not provided correctly. The map included with the application shows the pond in the SE NE of Section 20, but the place of use description shows the wild life and aesthetic use in the SE NE and the NE NE of Section 20. The application indicates the domestic use consists of one house, but the place of use description shows domestic use in the SE NE and the NE NE of Section 20. The irrigation use is identified as 80 acres, but the entire parcel is just under 80 acres and the application indicates that one acre of the parcel will be a pond. In addition it appears that a ditch runs through the property also reducing the potential number of irrigated acres. The 1.6 cfs diversion rate appears to be based on 80 acres of irrigation at 0.02 cfs (1 miner's inch) per acre. It appears that the number of irrigated acres and resulting irrigation diversion rate may be a little on the high side.

The Map was not provided correctly. The location of the domestic use was not shown on the map.

Additional clarification is needed to describe the water storage pond. The application indicates that the pond will be 10 feet deep. It is assumed that this pond will be excavated, without an embankment. If this is the case, it should be indicated on the application, perhaps in the remarks section. If water is to be impounded behind an

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embankment, additional information relating to the size of the embankment should be included to insure that the storage facility is not subject to IDWR regulation as a dam pursuant to the dam safety statutes outlined in Sections 42-1709 - 42-1721 Idaho Code. The 30 acre feet described in the remarks section of the application does not seem to correspond to the 10 acre feet listed as storage use and/or the relative size of the pond. How the pond will be operated impacts these numbers (flow through, evaporative losses, etc).

The remarks section indicates that this is the development of a supplemental source of water for the irrigation of 80 acres. Department records indicate that the surface water rights for the property only allow for the irrigation of 66 acres. The application should indicate that the irrigation use above and beyond the 66 acres will be a primary use.

The application is for a source tributary to a federal Wild and Scenic River. Please note that water right applicant(s) seeking to appropriate water in these areas must provide additional information before their applications can be approved. I have enclosed a copy of the additional information needed for the application for your reference.

Please note that an additional drilling permit fee will be assessed because the well was originally permitted only as a domestic well, the drilling permit fee was \$75.00. The application for permit increases the use of the well to irrigation, which would increase the permit fee to \$200.00. As specified in section 42-235, Idaho Code, if the well is to be used for other than domestic or monitoring purposes, the charge for the permit shall be two hundred dollars (\$200). The requirement is further explained in the well construction rules: IDAPA 37.03.09 – Rule 45.04.e. The difference (\$125.00) will need to be paid to appropriately match the use.

Please feel free to contact this office if you have any questions.

Sincerely,

Benny Walker  
Water Resource Agent

Enclosures