

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
FEB 08 2008
DEPARTMENT OF
WATER RESOURCES

February 7, 2008

Deborah Gibson
Idaho Department of Water Resources
322 E. Front Street
PO Box 83720
Boise, Idaho 83720-0098

Re: Lapsed Permit 37-20400 / Willis

Dear Ms. Gibson:

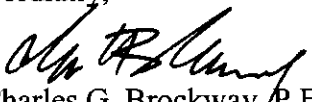
Enclosed is the affidavit we have been discussing relative to irrigation development under the above-referenced permit. The affiant is Dave Johanningmeier, who was the project manager for the irrigation and landscaping installation.

In a telephone call on December 27, 2007, Jeff Peppersack indicated the affidavit should contain unambiguous information about the extent of water development prior to the proof date of April 1, 2005, including extent of irrigation, wells used for irrigation, pump and pumping rate from the wells. I believe the affidavit and attached exhibit adequately address these requirements.

One request made by Mr. Peppersack was a confirmation that the well pumps installed prior to April 1, 2005 can deliver the authorized diversion rate. Mr. Johanningmeier testifies that the north well was fitted with a "3HP, 60 gpm pump" and the south well was fitted with a "5HP, 100 gpm pump". In order to verify these numbers, a theoretical calculation was made given the rated pump horsepower and assuming a pumping lift of 30 feet, discharge pressure of 50 psi, and pump efficiency of 75%. With these assumptions, a 3HP pump can deliver 61 gpm and a 5HP pump can deliver 102 gpm. These flows agree with the pump ratings, and are at least as large as the authorized flow rate.

Based on this evidence and the evidence previously submitted that the full development authorized by the permit was completed prior to April 1, 2005, I would request that Permit 37-20400 be reinstated.

Cordially,


Charles G. Brockway, P.E.

Enc. Affidavit of Dave Johanningmeier
Cc: Ned Williamson, Atty.

CHARLES E.
BROCKWAY,
PH.D., P.E.

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BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE USAGE OF WATER FOR
IRRIGATION PURPOSES UNDER WATER RIGHT
37-20400, SAID RIGHT BEING APPURTENANT TO
LOTS 35, 36, AND 39, FLYING HEART RANCH II,
BLAINE COUNTY, IDAHO

) COMMENTS AND
) EVIDENCE OF
) DAVE JOHANNINGMEIER
)

STATE OF IDAHO)
) ss.
County of Blaine)

COMES NOW, Dave Johannningmeier and provides the following comments and evidence in this matter:

1. I was an employee of Webb Landscaping from October 1995 through October 2006. From 2002 through 2006, I was the project manager for the landscaping and irrigation system installation on Lots 35, 36, and 39 of Flying Heart Ranch II Subdivision (the Property).
2. I have expertise in sprinkler system design and installation and I have first-hand knowledge of the system installed on the Property.
3. Webb Landscaping was responsible for installing sod, seeding, and irrigation sprinkler systems, and/or maintaining existing sprinkler systems, on the Property during at least the years 2003 through 2006.
4. Prior to the end of the irrigation season in October 2004, all of the irrigation systems on the three lots had been installed and were operating, including wells, pumps, mainlines, and sprinkler systems.
5. Irrigation from groundwater is accomplished by two wells on the Property, each of which was fitted with a submersible pump. The north well was fitted with a 3HP, 60 gpm pump. The south well was fitted with a 5HP, 100 gpm pump. These pumps were installed and operating prior to October 2004.
6. The well pumps were set to operate at a system pressure from 40 to 60 psi.
7. The extent of irrigation from groundwater is shown as a yellow outlined area on the attached aerial photograph, denoted as Exhibit A.
8. To my knowledge, no additional development of irrigation from groundwater occurred on the Property after April 1, 2005.

DATED this 5th day of February, 2008.

Signed: Dave Johannningmeier

SUBSCRIBED and SWORN to before me this 5th day of FEBRUARY, 2008



Annette Goicochea
NOTARY PUBLIC

Residing at: BELLEVUE, IDAHO
My Commission Expires: 12-08-11



WILLIS, BRUCE (FLYING HEART RANCH II)
WATER RIGHTS
NAIP 2006 AERIAL

EXHIBIT A
WEBB LANDSCAPING AFFIDAVIT

BROCKWAY ENGINEERING, PLLC.
ALR - JAN. 31, 2008

Legend

- Ditches
- Ponds
- Irrigation = 9.35 AC.
- Willis_Flying_Heart_Ranch_Lots
- Old Lot Line
- 02n18e
- Wellhead - unknown
- Irrigation wells

