

MEMORANDUM

Date: December 6, 2007
To: Water Right File 63-32419
From: Aaron Marshall
Re: Permit Review

John Westra issued a preliminary order voiding the application for permit since additional information requested by IDWR was not provided within thirty (30) days. That preliminary order was later withdrawn and the additional information was provided.

The applicant amended the application for permit on September 14, 2007 to increase the diversion rate to 0.15 cfs and change the season of use to the standard for the area, March 1 to November 15. The diversion rate provides 0.03 cfs per acre and is acceptable since the irrigated acreage is 5.0 acres or less. The priority date is advanced to the date of amendment since the diversion rate was increased.

During a conversation today with Shelley Keen and Steve Lester and based on recent discussions with Lee Sisco, watermaster of Water District No. 63, we concluded that Sand Hollow Creek is not within Water District No. 63. Sand Hollow Creek parallels and is in close proximity to the Boise River for many miles but is not tributary to the Boise River. Sand Hollow Creek is tributary to the Snake River. Therefore, permit approval conditions referring to the inclusion in a state water district, lockable device requirement, and measuring device requirement were not included on this permit.