

MEMORANDUM

Date: April 5, 2007
To: Application for Permit 72-16686 (John and Patricia Challis) File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application for Permit 72-16686 proposes appropriating 1.0 acre-foot of groundwater and water from a spring fed unnamed stream for recreation and aesthetic storage use(s) in an existing excavated pond located just north of Challis Creek approximately 4.7 miles north and 4.5 miles west of the Highway 93 and Garden Creek Road intersection in Challis. Note that the Application for Permit lists four diversions (two groundwater & two spring) in two different adjacent 10-acre tracts. Examination of the application indicates that there is just one pond, excavated to capture groundwater, and that the spring is "just above the pond". In addition, the 11/28/2005 Jim Stanton comment memo in the file indicates that the spring is 20 feet above the pond and comes out on the land surface before running into the pond. Therefore, the permit has been drafted to show one point of diversion (pond) with two sources (groundwater and an unnamed stream) identified in a single 40-acre tract, rather than two different 10-acre tracts (pond appears to be close to the line separating 10 acre tracts). In addition, it appears that irrigation wastewater, owned by the applicant, can enter the pond and be reused in the applicants irrigation system (does not require a water right since the use would be covered by existing irrigation rights).

- **Effect on Other Water Rights:**
Existing pond is relatively small and will not exceed 1.0 AF of storage. If application is approved, and a permit is granted, it will be one of the more junior rights in the area.
- **Sufficiency of Water Supply:**
The pond is already built and the sources of water appear adequate to provide storage water in the pond.
- **Application Made in Good Faith:**
The pond is already built. Applicant has already received a fish-stocking permit from the IDF&G to allow for fish to be placed in the pond.
- **Financial Resources:**
The pond is already built so there should be no additional financial resources required to complete the development. Applicants own the property where the pond is located.
- **Local Public Interest:**
The applicants have solicited comments from interested agencies, and comments have been received from the Idaho Department of Fish & Game and the Idaho Department of Environmental Quality, with no negative comments or concerns raised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are beneficial uses 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.