



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

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DEPARTMENT OF
WATER RESOURCES

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Interim Director

February 5, 2007

PAUL &/OR FRANCES PORTER
4475C S POWERLINE RD
MELBA ID 83641

Re: Application for Permit No. 63-11741

Dear Applicants:

Mr. Porter visited this office last November to work on water rights pending in the Snake River Basin Adjudication. He asked about a pending application for permit to seek a new water right. The application is number 63-11741 proposing supplemental irrigation from two existing wells (see attached printout).

I discussed the likelihood of application approval with appropriate staff at this agency. Due to broader concerns about the Boise River Basin in which your application is proposed, the department ceased approving a limited number of similar applications by the mid-1990s following the 1992 moratorium against most new consumptive use applications. The concerns include local water supply and related issues in addition to broader implications beyond your local area.

The department is charged with balancing the need for new water development with protecting existing uses. This involves numerous factors such as water availability, injury to senior rights, local public interest with respect to watersheds and so forth. The department has concluded that approval of your application does not outweigh other factors at this time.

Therefore the application will remain in good standing but on hold pending resolution of broader issues and changes in management policy for the Boise River Basin. As this year progresses, you are welcome to revisit the issue with this agency if the surface water irrigation supply for your property becomes inadequate for your crops. There might be solutions short of approval of Application No. 63-11741 to resolve temporary problems about water supply issues (water banking etc.).

Please contact me at your convenience at 208-334-2190 if you need more information in this regard. More information about water rights and related topics can be found on the department website at www.idwr.idaho.gov.

Sincerely,

Steve Lester
Water Rights Supervisor