



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 24, 2004

SOUTHWEST IRRIGATION DISTRICT
PO BOX 668
BURLEY ID 83318

RE: Permit Nos. 45-07567 and 45-07588

Dear Permit Holders:

The above referenced permits are being reviewed for licensing purposes. While reviewing these records we found we need more information to finalize this process.

Permit 45-07567: In review of records found in the book entitled "Hydrologic and Water-Quality Data for the Southwest Irrigation District's High Plains States Groundwater Recharge Demonstration Project, South-Central Idaho", we found you could divert 27.0 cubic feet per second (cfs) for your diversion to ground water recharge. However, because you only paid an examination fee for 20.0 cfs when you submitted your Proof of Beneficial Use, the license will be limited to 20.0 cfs. If you want this water right license to reflect the 27.0 cfs found by the Department, you must submit an additional examination fee of \$25.00, plus a late payment penalty of \$25.00, within 30 days. If we don't receive the additional examination fee/late fee of \$50.00 within 30 days from the date of this letter, we will assume you are not interested in the additional 7.0 cfs of water and we will license the permit for 20.0 cfs.

This letter will also act as confirmation of my telephone conversation with Mr. Wyatt on February 6, 2004, regarding conveyance loss in this system. I was advised that Southwest Irrigation District is not interested in pursuing documenting the volume of water lost in this system because the ditch is owned and operated by Cottonwood Canal Company. IDWR will not include a volume for conveyance losses in the proposed license.

IDWR also noted during our license review, that we will need an amendment form that will reflect the point of diversion as identified by our Snake River Basin Adjudication (SRBA) staff. Our SRBA staff actually stood on the cement works spanning the creek to GPS your diversion location so we feel confident that this point accurately describes your diversion location. Enclosed you will find an application for amendment form that needs to be signed and returned to this office so we can issue the water right license as reflected on the amendment form.

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Southwest Irrigation District
May 19, 2004

Permit No. 45-07588: This permit will also need to be amended before we can license it. Our examiner determined that the one of the points of diversion and some places of use are in locations other than shown on the permit. Enclosed you will find an amendment form that needs to be signed and returned for this permit.

Both Permits: It is noted that you submitted Applications for Amendment of both permits in February of 1997 that have never been acted upon. The applications for amendment were submitted to change the period of use authorized under these permits to a longer season. We did not act upon these amendments because the use of water may be enlarged if we approved the increase in the season of use. We request that you withdraw the amendments submitted in 1997 by submittal of a letter to this effect. If you will withdraw the previous amendment forms, we will utilize the fees submitted in 1997 to cover the filing fees of the enclosed amendment forms. If you don't wish to withdraw the amendments submitted in 1997, you must provide strong evidence showing that the season of use change requested will not injure senior water rights. If you choose not to withdraw the previous amendment applications the filing fee for each of the enclosed licensing amendments is \$50.00, for a total of \$100.00.

The Department will hold further action on these permits for 30 days to allow submittal of the required information, signed amendment forms and filing fees. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. If you have any questions in regard to this matter, please feel free to contact me at (208) 327-7944.

Sincerely,



KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures