



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NORTH SIDE PIPELINE CO INC
C/O SCOTT CRANE
24761 HWY 30 N
MONTPELIER ID 83254

RE: Water Right No. 11-07119

Dear Scott:

Thank you for completing the amendment application for permit 11-07119 and returning it to me. Since receiving the amendment form, we have identified some additional items that should be addressed before a water right license is issued. I am writing to enlist your help in addressing these concerns.

The first concern is the diversion rate recommended for licensing by IDWR's field examiner. As you saw on the amendment form, the examiner recommended licensing 3.26 cfs (1465 gpm) based on his flow measurements taken August 28, 1997. This diversion rate does not seem to agree with other information in the water right file. In his June, 1997, letter requesting reinstatement of the permit, Don Crane indicated that the rate should be 2.4 cfs (1077 gpm). On August 28, 1997, Mitch Greer of Shepherd Engineering in Pocatello called IDWR and said that he had measured the diversion rate from the well at roughly 1.34 cfs (600 gpm). In addition, IDWR's field examiner reported a mainline pressure of 12 psi, which suggests that your system was not fully pressurized when his measurement was taken. In fact, while 3.26 cfs was the highest reading from his measuring equipment, his measurements also show several later readings of about 2.0 cfs (900 gpm), perhaps after the system pressurized.

Generally IDWR is very confident in the measurements made by its field examiners. However, when other significant information contradicts the measurement, it is prudent to seek information to corroborate the examiner's findings. I have been told that in your case a second measurement is not possible because your original pump and motor have been replaced. Therefore, I would like to know what, in your experience, you expected the system to produce. Also, if you have any system design information or records of flow measurements other than those mentioned above, they might be useful in providing perspective on this matter.

Another concern that deserves additional consideration is the place of use for the right. As you saw on the amendment form, IDWR's field examiner recommended issuing a license for the irrigation of 350 acres within a 398-acre area. The 350-acre limit is based on the fact that your

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permit was for only 350 acres. The place of use recommendation needs a second look to address the following three items. First, in his letter requesting reinstatement of the permit, Don Crane indicated that the right should be about 120 acres, not 350 acres. Second, 3.26 cfs is a marginal diversion rate for 350 acres. If the diversion rate is actually something less than 3.26 cfs, it would suggest that the system was used to deliver water to fewer than 350 acres in a single irrigation season. And third, since the place of use is apparently somewhat different than described in your original application, the ownership of the entire land base recommended by IDWR's examiner should be documented. Copies of warranty deeds or tax records could be used for this purpose.

I will hold your water right file for thirty days to give you an opportunity to collect and submit information relating to the diversion rate and place of use of your water right.

If you have any concerns or questions about this matter, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in black ink, reading "Shelley Walter Keen". The signature is written in a cursive, flowing style.

Shelley Walter Keen
Water Rights Supervisor