



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 30, 2004

POWDER VALLEY - SHADOW BROOK HOMEOWNERS ASSOCIATION INC
C/O TOM FEWELL
PO BOX 572
DRIGGS ID 83422

RE: Water Right Permit No. 22-07815

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code.

I stated in my letter dated September 16, 2004 that the pond you developed was an enlargement of the consumptive use portion of the Permit, and could not be licensed without reducing the number of acres irrigated or making up for the additional water with another water right. In light of the new information regarding the amount of consumptive use under this right (see attached calculation sheet), it is not an enlargement from the permit to cover the pond under this license. The retirement of acreage is not necessary since only 7 acres are being irrigated, not 23 as stated on the Permit, Proof of Beneficial Use and Field Report.

Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at (208) 287-4949 or e-mail erin.retelle@idwr.idaho.gov.

Sincerely,

Erin Retelle
Water Resource Agent

Enclosures: 2

VOLUME:

Internal use (a non-consumptive use) ~ 0.6 af/a

External use (a consumptive use) ~ 0.6 af/a

Permitted:

47 homes (internal and external use) x 1.2 af =

56.4 af (28.2 af associated with the consumptive use)

Observed:

1 home (internal and external use) x 1.2 af = 1.2 af

7 acres irrigation (external use) x 3.5 af = 24.5 af

1 pond = 1 af

pond evaporation = 24" loss x .25 acres surface area = .5 af

27.2 af (25.6 af associated with the consumptive use)

References & background:

IDWR transfer memo gives free water surface evaporation for the PoU as 40"/year.

<http://www.wrcc.dri.edu/> gives average precipitation for the PoU as 16"/year.

The surface area of the pond was determined to be approximately .25 acres using 2002/2003 SPOT imagery

If the volume of the pond is 1 af (as reported by the field examiner), and the surface area is .25 acres, then the pond is, on average, 4 feet deep. The pond is situated on the floodplain of the river. Nearby surrounding areas are determined to be marshland (by examination of aerial photos). USGS topographic maps show the pond surface to be less than 10 feet higher than the elevation of the river. As the water table approaches the land surface, the seepage loss for a pond approaches 0 (IDWR pond spreadsheet).