



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 19, 2014

Sam Larrondo, EIT
Crestline Engineers
323 Dienhard LN Suite C
PO Box 2330
McCall ID 83638

RE: Proposed Moss Irrigation Pond

Dear Mr. Larrondo:

Thank you for your letter of May 8th regarding the proposed pond on the Moss property. Our office has reviewed your proposal and forward the following comments and matters that need to be addressed:

The Lake Fork Creek and tributaries are over appropriated; that is water right allocations far exceed the water available in the creek, see right summary. Because of the shortage, junior priority date natural flow water rights are curtailed annually to prevent injury to senior right holders. The water delivered by the Lake Irrigation District (Little Payette Lake) and the Water district Rental Pool provides supplemental water to shareholders to compensate for the shortage.

The shallow groundwater in the proposed pond location is a direct tributary and considered Lake Fork Creek water. A pond excavation exposing shallow groundwater would be viewed as a creek diversion and new beneficial use of water. The water rights held by your client do not authorize the storage of water; therefore, a new storage water right is required.. A new storage appropriation would require the applicant submit convincing evidence and data to show that injury would not be caused to right holders. This is not likely as junior priority creek right holders already face annual curtailed due to lack of creek natural flow.

If the irrigation pumping capacity exceeds the ability of the conveyance ditch to deliver the quantity of water required, a small regulation/pumping pond can be part of the irrigation system. Yes, it is acceptable to irrigate portions of the parcel by gravity/flood irrigation. However due to the proposed location, the following must addressed:


- The pond excavation cannot expose/encounter shallow groundwater. The map enclosed indicates there may already be standing water near the proposed pond location. This would be prohibitive.
- Water stored in the pond would have to come from diversions under your water rights and district shares.
- The pond would have to be actively used for regulation/pumping only during the irrigation season. It could not be refilled from 09/01 to 04/01.

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- Water would have to be diverted out of the West Side Ditch into the pond. The ditch cannot flow through the pond.
- Determined the pond site location in not classified as a wetland-Corps of Engineers.
- Present the pond need and specifications to the Lake Fork Water District Watermaster and West Fork Ditch waterusers for comments and approval.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,



John Westra, Manager

Cc: J. Leedom, Watermaster

Enclosure: Lake Fork Creek water right summary.