MEMORANDUM

To: Water Right File: 63-32423

From: Jacob Caraig

Date: March 26, 2025

Re: Annual Reporting Requirements Review

Intro

On February 14, 2025, Dry Creek Water Company, LLC (DCWC) submitted (via mail) Dry Creek Mitigation Planning, 2025 memorandum (2025 Mitigation Plan) for the Dry Creek Ranch Aquifer Mitigation Plan for Permit 63-32423.

Permit 63-32423, condition twelve (12) requires the following steps to be taken in preparing the annual mitigation plan:

1. Identify and estimate a diversion rate and volume for all uses under the right that will exceed the individual domestic use limits as defined by Idaho Code § 42-111(1)(a) and (b) during the year. Uses under this right that exceed the individual use limits of Idaho Code § 42-111(1)(a) and (b) are considered to be 100% consumptive. Such uses shall be mitigated through reduction of one acre of irrigation use under water rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 for each 2.7 acre feet of water diverted under this right.
2. Identify all uses under the right that will meet the individual domestic use limits as defined by Idaho Code § 42-111(1)(a) and (b) during the year and estimate an annual diversion volume for these uses. Such uses shall be mitigated through reduction of one acre of irrigation use under water rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266 for each 4.5 acre feet of water diverted under this right.
3. Reduce the number of acres to be irrigated under Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266, sufficiently to provide the required mitigation for items "a" and "b" above.
4. Report to the Department the volume of water to be used for municipal purposes in connection with this permit during the year.
5. Report the number of acres required to mitigate for the municipal use, along with the water right numbers, diversion rates, and annual diversion volumes associated with those acres.
6. Report the location of the lands that will be irrigated during the forthcoming irrigation season with water diverted under Rights 63-2535, 63-4023B, 63-4086B, 63-7123, 63-17454, and 63-32266. The location shall be reported in map, GIS shapefile, and PLS tabular forms."

2025 Mitigation Plan Review

Dry Creek has reached the end of the permitted development period for permit 63-32423 and have at the time of writing of this review memo submitted a statement of completion. Dry Creek Water Company reports that 575 residences have been constructed with 149 additional lots stubbed with water service lines for a total of 724 residences for the purpose of licensing calculations. At an allotted 1.2 acre feet per household or stub in, an annual diversion volume of 868.8 acre feet would be appropriate for licensure per current departmental standards, however this is well below the permitted 1764 acre feet. To mitigate for the water put to beneficial use, 193.1 acres from water rights 63-2535, 63-4023B, 63-4086B, 63-7123, and 63-32266 have been idled, resulting in 868.8 acre feet of mitigation water annually (calculated as 193.1 times the 4.5 acre feet annually headgate requirement) in compliance with condition 14. The report mentions, however, that the department has historically allocated 215.7 acres of irrigation.

Conclusion

The reporting requirements stipulated by condition 14 have been satisfied and DCWC has submitted a statement of completion. A field exam must now be scheduled to confirm DCWC's calculations and license the water right.