



State of Idaho

DEPARTMENT OF WATER RESOURCES

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June 9, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TERRY M SCANLAN
SPF WATER ENGINEERING LLC
300 E MALLARD DR SUITE 350
BOISE ID 83706

RE: Permit No.: 63-31862

Dear Mr. Scanlan:

On April 23, 2009, the Idaho Department of Water Resources (IDWR) received the Statement of Completion and the Beneficial Use Field Report of the exam you conducted to verify water use for Permit 63-31862 (the permit). The permit is held by Hillsdale Estates, and authorizes a diversion of 3.26 cfs of ground water for domestic purposes from SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 5 North, Range 1 West, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 5 North, Range 1 West in Ada County and from SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, Township 5 North, Range 2 West in Canyon County.

I have been assigned to review your report and determine if it fulfills IDWR requirements for field report acceptability. Although, I found your report was timely, I need some additional information for two elements of the right before I can complete the licensing process.

I found that the place-of-use grid entries in the exam report don't match either the place-of-use photo attached to the report, or the ArcGIS shapes provided to me. Therefore I am not able to determine the actual place-of-use for this right. Please review your place-of-use submittals and eliminate the inconsistencies between the grid and the photo and shapefiles.

Clarification is also needed on your flow and volume recommendations. No flow measurements were recorded on the report although you catalog the flow totalizers that are in-place on the system. The value for the pumping capacity on well #3 is given as 1300 gpm based on initial testing, but your theoretical calculations are based on a rate of 1700 gpm. The reasoning behind that substitution or the iterative calculation process which leads from the first number to the second is missing from your report.

Permit 63-31862 authorizes a rate of 3.26 cfs and this water supply system's design capacity appears to be appreciably larger than this permitted rate. In your report, you mention the capacities of two other well-pump pairs which were found on an earlier incarnation of this supply system and were confirmed by water right license 63-12125. You quote the previous capacity determinations but do not include measurements or other justification for why those

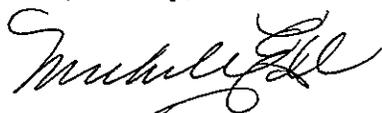
capacities should remain unchanged in the years since the field exam for 63-12125. Your rate recommendation for this permit proposes that the capacity determined in 2000 is undiminished, that incremental additional beneficial use has taken place in the intervening years and that the well-pump pair associated with this permit is a necessary addition to that capacity rather than a substitute for declining production from other wells. The department needs information from you which validates that recommendation.

Because your report was substantially in compliance with IDWR rules for an acceptable exam, it is not being rejected. However, I do need additional information from you. Beneficial Use Examination Rule IDAPA 37.03.02.35c states,

If the director determines that a field report is acceptable but that additional information is needed to clarify the field report, he will notify the certified water right examiner in writing of the information required. If the additional information is not submitted within thirty (30) days or within the time specified in the written notice, the priority date of the permit will be advanced one (1) day for each day the information submittal is late. Failure to submit the required information within one (1) year of the date of the department's request is cause for the director to take action to cancel the permit.

I will hold processing of this water right for 30 days to provide you with time to submit additional information confirming the place-of-use and clarifying your rate and volume recommendations. Feel free to contact me with questions.

Respectfully,



Michele Edl
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CC: Ellen Spencer
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