



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

June 28, 2021

Lava Ranch Property Owners Association  
PO Box 131  
Lava Hot Springs, ID 83246

Travis Thompson  
163 2<sup>nd</sup> Avenue West  
Twin Falls, ID 83301

Mike and Lori Beer  
1543 Saratoga Street  
Pocatello, ID 83201

Lance Schuster  
955 Pier View Drive  
Idaho Falls, ID 83402

RE: Request for Additional Information

Dear Parties:

In February 2021, Mike and Lori Beer filed a delivery call with the Idaho Department of Water Resources (IDWR), asserting that a well owned and operated by Lava Ranch Property Owners Association (LRPOA) was reducing the flow from a spring on the Beer property that supplies water for domestic use under water right 29-13740. IDWR conducted multiple site investigations and determined that the combined use from two wells owned and operated by LRPOA exceeded the limits for exempt domestic uses set forth in Idaho Code Section 42-111(1)(b).

In a letter dated June 10, 2021, Lava Ranch Property Owners Association agreed to curtail diversion from the lower well until a water right is acquired or transferred to cover the use at the lower well. Further, LRPOA agreed to limit the use at its upper well to a diversion rate less than 0.04 cfs and a daily diversion volume of 2,500 gallons. These restrictions would bring the diversion at the upper well within the exempt domestic limits set forth in Section 42-111(1)(b). These voluntary restrictions do not, however, address the allegations of injury asserted by the Beers in their delivery call.

IDWR is prepared to move forward with evaluating the hydrologic connection between the upper well and the Beer spring. I recently spoke with Sean Vincent, manager of IDWR's Hydrology Section, to discuss the data and information needed to complete a hydrologic evaluation. Some of the required data and information is within the possession of the parties. This letter is meant to serve as a formal request for data and information to assist in IDWR's evaluation of the Beer delivery call.

LRPOA must provide a copy of the as-built specifications for the upper system, including the depth of the well, the depth of the existing 2 hp pump and the static water level in the well at the time the system was installed. In addition, LRPOA must provide monthly power records for the upper system from 2016 to 2021. These will help IDWR

calculate the total volume of water diverted from the upper system since it was constructed.

Mike and Lori Beer must provide records for any measurements of the flow from their spring, identifying the dates when the measurements occurred. Further, the Beers have recently installed a v-notch weir in Deer Creek just upstream of their driveway. The Beers have collected readings at this weir since it was installed. The Beers must provide a copy of any flow data for Deer Creek, identifying the dates of readings.

Please provide the requested information to IDWR on or before July 30, 2021. IDWR will review the information provided and determine whether additional information or testing is needed to understand the hydrology of the Deer Creek basin. Please contact me if you have any questions about this information request.

Sincerely,



James Cefalo

Cc: Garrick Baxter, 322 East Front Street, Boise, ID 83702-7371