

37-12388

6/6/13
see

PRIORITY:

well completion dates

* 7-14-55 driller done
9-15-55 well log filed

(X84)

345-2000
(per A. WALDERA) 21 MH + 4 cabins = 25 homes total
5/22/13
<NOTE: 22 TAXLOTS>

Q:

25 Homes

(per Notes in Appendix IV)

Assume 25 homes @ 2 ppl/home

= 50 people

@ 50 gpd/person = 2500 gpd

.02 cfs

.05 cfs

.05 cfs

limited
by well flow

@ 2hr peak demand:

$$\frac{2500 \text{ gpd}}{2 \text{ hrs} * 60 \text{ min/hr} * 450 \text{ gpm/cfs}} = 0.05 \text{ cfs}$$

std:
season of use
4-15 to 10-31

VOLUME:

IDWR STD = 0.6 AF/home

* 25 H. * 56 = 15 AFA

add
0.2 AFA
for IRRIG.
= 15.2 AFA

@ flow 0.05 cfs:

$$0.05 \text{ cfs} * 1.9835 * 365 \text{ days} = 36.2 \text{ AFA}$$

$$0.05 \text{ cfs} * 448.83 \text{ gpm/cfs} = 22.4 \text{ gpm}$$

$$0.09 \text{ cfs} * \text{ " } = 40.4 \text{ gpm}$$

per Driller well test flow = 15 gpm (0.03 cfs)

(K16)

IRRIGATION: Claim for 0.5 AC - initial GIS shape is 0.2 or 0.3

* ALLOW .5 within parcel

$$Q = .5 \text{ AC} * 0.03 \text{ cfs/AC}$$

$$\text{VOL. } 0.5 \text{ AC} * 3.5 \text{ AF/AC} = 1.75 \text{ AFA} = 0.02 \text{ cfs}$$

37-12388

SUN TREE Hollow

INITIAL
REVIEW

POD/WELL - IDEQ GPS TAG# E0007579

DRG - shows 1 home (?) Photo year: 1966
'SUN VALLEY' X24 field check: 1967

published: 9/1/1971

Affiant says: 1959-1963 (and prior)

POD Legal - S. 30 NWSESE (DEQ well: SENESE)
Claim doesn't match other data

Claim is for 2 wells?

Large development?

31 homes

27 mobiles

4 Apartments

(ANDY Waldera 385-5418
Voice Mail 5/17/13)

Clelland, Steve

From: Andy Waldera [AJW@moffatt.com]
Sent: Thursday, November 21, 2013 4:49 PM
To: Spencer, Nick
Cc: Kelly, Vicki; Clelland, Steve; Carter, Meghan
Subject: RE: 37-12388 (Sun Valley Trailer Park)

Good afternoon, Nick.

After running through the source materials, and re-running the calculations on 37-12388 for the Sun Tree Hollow Mobile Home Park, I want to make sure we are all on the same page for SF5 purposes (once these details are confirmed I will seek approval from Dr. Hoffman):

1. Diversion Rate $Q = 0.05$ cfs (which is actually a bit generous given the 15 gpm (or 0.0334 cfs) test rate found on the well driller's log dated 9/15/55).
2. Annual Volume $Q = 16.75$ AFY (sum of 15 AFY for domestic and 1.75 AFY for irrigation):
 - (a) Domestic: $0.6 \text{ AFY/unit} \times 25 \text{ units} = 15 \text{ AFY}$ (which should be satisfactory; according to EPA data typical household of 4 uses 400-500 gpd (*see* EPA-832-F-06-004))
 - (b) Irrigation: $3.5 \text{ AFY} \times 0.5 \text{ acres} = 1.75 \text{ AFY}$ (which is what is claimed on the Cooper claim form; 0.5 acres when multiplied by the 3.5 AFY/acre consumptive irrigation requirement for the locale).
3. Under Priority date the right will continue to read 7/14/55 as currently recommended (which makes sense because this is the date entered as the "date of completion" on the well driller's log).
4. Under Purpose and Period of Use the right will read: 0.02 cfs (1.75 AFY) for irrigation; and 0.05 cfs (15.0 AFY) for domestic.
5. Under Place of Use the right will read as the recommendation currently reads: with a 2.1 acre overall irrigation PPU, within which only 0.5 acres may be irrigated during any given irrigation season.

If I am missing something, or you all have different numbers please let me know. Otherwise, I think we are good to go.

Regards,

Andy

From: Spencer, Nick [mailto:Nick.Spencer@idwr.idaho.gov]
Sent: Friday, November 08, 2013 12:21 PM
To: Andy Waldera
Cc: Kelly, Vicki; Clelland, Steve; Carter, Meghan
Subject: 37-12388 (Sun Valley Trailer Park)

Hi Andy.

I'm getting back to you about the question you had earlier as to where IDWR's standard of .6 AFY per house for inside domestic use came from. I am attaching several documents for you to review in that regard; however it appears there is no clear single official policy document adopting that standard, beyond the handwritten notation on the bottom of page 2 of Administrator's Memorandum 22, dated June 4, 1980. (First attachment.)

That memorandum, complete with the handwritten notation, is in wide circulation within IDWR. Jan Shurte was able to identify whose handwriting it is on the memorandum. It is that of Bobby Fleenor, a long-time manager on the allocations side who retired a number of years ago.

The second attachment is an inter-office memo from Dave Tuthill, dated just a few months after Administrator's Memorandum 22, referencing research he had done that supported the standard. He also notes that the standard was one that had been used in the past.

I also discussed the genesis of the standard with Carter Fritschle. He believes it has been used on licenses since the 1970s and was used in the Payette Adjudication. He believes its origin probably goes back to when IDWR first started putting volumes on licenses in the late '60s or early 70s. Carter noted that an annual volume of .6 AF equates to 535 gpd. He therefore believes the standard was based on 500 gpd per unit, which equates to .56 AFY, and that the .56 AFY was rounded up to .6 AFY for convenience. Carter also noted that 500 gpd is within the range recognized by other government agencies. See e.g.

<http://www.epa.gov/WaterSource/pubs/indoor.html>.

The next attachment is Appendix IV from IDWR's Water Law Handbook. This is a large loose leaf binder prepared in the 1980s containing mostly IDWR's rules and regulations in various categories at the time, the State Water Plan at the time, and similar items. It includes a number of appendices containing information relevant to different matters referenced in the rules and regulations and other documents. The title of Appendix IV pretty well explains its contents: "Typical Amounts of Water for Typical Uses of Water." On page 3 of this document, under the category of "Parks" is a listing entitled "Trailers with individual bath units, connected to sewer (per person)." The quantity listed is 50 gpd. Therefore, assuming this amount is reasonably accurate, by applying the general inside domestic standard volume of .6 AFY, Steve Clelland in effect is recommending sufficient inside water to provide for about ten people per trailer.

Of course, none of this explains the legal significance and weight of these various numbers. The final attachment is a page from one of the other documents contained in the Water Law Handbook. This is a document entitled "Water Rights Adjudication Handbook," prepared by Lynne Krogh in May, 1987, less than six months prior to commencement of the SRBA. This was a document prepared in anticipation of the SRBA to provide guidance and assistance to attorneys and others about claims taking and other adjudication matters. The page I have enclosed addresses some quantity matters. The third paragraph under item 7 explains the purpose of Appendix IV, viz. that it is a "fact finding tool." IDWR uses these standards in preparing SRBA recommendations, which recommendations have been legally determined to carry only prima facie evidentiary weight in the SRBA. The agents use them to determine quantities in the absence of better information, and are always open to consideration of additional evidence.

I hope and trust that this better explains where the .6 AFY indoor domestic standard that Steve Clelland used in preparing his recommendation of water right number 37-12388 came from, and therefore will help you in explaining it to your client. If Dr. Hoffman or you have information showing that the recommended quantity is not a generously accurate representation of historic beneficial use, please let Steve or me know. We certainly will consider any additional information you can provide, since we all share the common goal of getting your client a decreed water right that is an accurate reflection of the actual historic use on the property.

Please let me know your thoughts.

Best wishes,
NBS