

NOV 23 2015

ID No.

TP-37-71

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: Harry R. Drackett III, Trustee of The Harry Rogers Drackett III Trus Phone: (208) 578-9200
 Mailing address: 79 Greenhorn Gulch Rd. City: Hailey
 State ID ZIP 83333 Email: dan@drackettsv.com

1. Source of water: ground water tributary to _____
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
3N	18E	18			NW	NE	BLAINE	GROUND WATER	Greenhorn well #1
3N	18E	18			NW	NE	BLAINE	GROUND WATER	Greenhorn well #2

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	18						0.5	0.5										1.0

4. Describe proposed use of water Post-fire rehabilitation: reestablish trees to replace those destroyed by 2013 Beaver Creek fire and establish drought-resistant vegetation on berms and diversion ditches.

5. Amount of water:

Maximum rate of diversion 0.02 cfs cfs or _____ gpm.

Maximum daily volume 0.07 AF; total volume 3.5 AF.

6. Duration of diversion: from April 15 (day-month) to October 31 (day-month).

7. Describe proposed diverting works: 2 wells, mainline to storage tank, delivery system to subdivision lots

8. a. Who owns the property at the requested point of diversion? Greenhorn Owners Association, Inc.

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Association has granted Applicant, one of its members, permission to use its wells and delivery system

9. Additional remarks: _____

I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Harry R. Drackett III
 Signature of applicant

November 20, 2015
 Date

Received by DM Date 11-23-2015 Time 1:20 PM

\$50.00 fee received by DM # S035117 Date 11-23-2015

Watermaster comments received? Yes - per email Date 11-25-2015

Check enclosed

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

☐ A. The application for temporary approval should be denied.

☒ B. The application for temporary approval should be approved, since

1. The temporary approval can be properly administered.
2. Other water sources are not readily available.
3. The approval is in the public interest.
4. The approval will not injure known public values associated with the water source or any known water rights.

This application is therefore hereby:

☐ A. DENIED

☒ B. APPROVED, subject to the following conditions:

1. Diversion and use of water under this approval is subject to all valid existing water rights.
2. The applicant assumes all risk the use of the water under this approval may injure other water rights.
3. This approval authorizes a maximum diversion of 3.5 AF and a maximum rate of diversion of 0.02 cfs.
4. This approval does not grant a right-of-way across the land of another, does not create a continuing right to use the water and may not be used in connection with a use which requires a continuing water supply.
5. The department may cancel this approval at any time if the department identifies injury to other water rights.
6. This approval does not create a continuing right to use water.
7. The holder of this temporary permit shall not divert at a rate or in a manner that will significantly reduce the flow in the water source or otherwise adversely affect fish, wildlife or other public values.
8. Other: See attached sheet for additional conditions

9. This approval expires on 10/31/2016.

Signed this 27th day of November, 2015.


For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NO. TP-37-71

- Subject to regulation by watermaster of Water District 37.
- Subject to regulation and agreement of Greenhorn Owners Association Inc.
- Water diverted shall be measured and accounted for in a manner acceptable to the Greenhorn Owners Association Inc.
- This temporary permit is authorized pursuant to Section 42-202A, Idaho Code. Section 42-202A(5) states that a temporary permit shall only be granted for a use not intended to become an established water right and does not create a continuing right to use water. This permit is similar to temporary permits TP-37-58 issued in 2014 and TP-37-64 issued in 2015 for vegetation rehabilitation of the 2013 fire in Greenhorn Gulch. **NOTE that no additional temporary permit will be issued for vegetation rehabilitation beyond 2016. If water is needed beyond 2016, water must be sought through other means which may include rental of water through the Idaho Water Resource Board Water Bank.**

Greenhorn Owners Association
106 Greenhorn Loop Road
Hailey, ID 83333
(208) 928-7350

RECEIVED

NOV 23 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

November 20, 2015

Mr. Harry R, Drackett, III
79 Greenhorn Gulch Road
Hailey, ID 83333
(208) 578-9200

Re: IDWR Emergency Temporary
Supplemental Water License 2016

Dear Mr. Drackett,

This letter is to confirm that the Board of Directors of the Greenhorn Owners Association received, reviewed and approved your request to use the Greenhorn Owners' Association water system for delivery of additional water for irrigation purposes between May 1, and October 31, 2016. This specifically relates to your application to the Idaho Department of Water Resources for renewal of the supplemental right that you received last year, in other words an extension of the same agreement.

When you receive confirmation from IDWR, please send a copy of it to Karen Roseberry, our administrative secretary and confirm the amount of extra water as well as the terms of your license.

Your use of the Greenhorn Owners' Association water system, as it concerns this water license, will be subject to the irrigation scheduling process that we have in place for all owners in our association, in order to meet the demands on our system and to the general terms described in our CC&Rs.

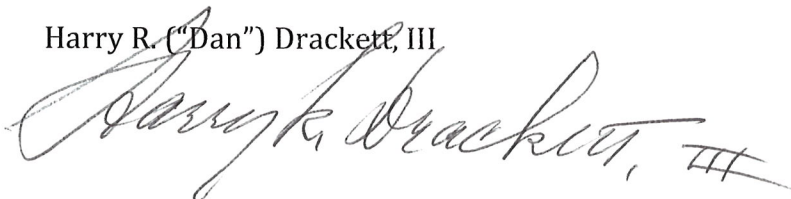
Please tell me if you have any questions,

Sincerely,

Jeffrey T. Seely, Board President

Signed by Harry R. Drackett, V.P of the Greenhorn Board, with the permission of Jeffrey T. Seely, who is unavailable due to travel schedules.

Harry R. ("Dan") Drackett, III

A handwritten signature in black ink that reads "Harry R. Drackett, III". The signature is written in a cursive, flowing style with a large initial 'H' and 'D'.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 27, 2015

HARRY R DRACKETT III
THE HARRY ROGERS DRACKETT III TRUST
79 GREENHORN GULCH RD
HAILEY, ID 83333

RE: Copy of Temporary Water Right Application: TP-37-71

Dear Applicant(s):

Enclosed is a copy of the above referenced approved Application for Temporary Approval of Water Appropriation Permit.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Enclosure

cc: Kevin Lakey, Water District 37

Memorandum

Date: 11/25/2015

To: Allen Merritt

From: Bill Mills

RE: Application for Temporary Approval of Water Appropriation

Application proposes the diversion of 0.02 cfs or approximately 9 gallons per minute, with a maximum daily volume of 0.07 acre feet to be diverted from 04/15/2016 to 10/31/2016 with a total volume of 3.5 acre feet. Diverted water will be used to irrigate approximately 1 acre to reestablish trees and vegetation damaged or destroyed in the 2013 Beaver Creek Fire (0.5 acres in the NWNW and 0.5 acres in the SWNW of Sec. 18, Twp 03N, Rge 18E on Lot 1 of the Greenhorn Subdivision). Applicant will utilize wells and delivery system owned by the Greenhorn Owners Association Inc and has provided a letter of consent from the association. Applicant filed and received a temporary appropriation for the same purpose and volume in 2015 (TP-37-58).

I emailed Kevin Lakey, Watermaster WD 37, and in his response he indicated he would approve the appropriation, but agreed that this should be the last year the department allows temporary appropriations to reestablish vegetation damaged in the Beaver Creek Fire (see attached email dated 11/24/2015).

Proposed POU & POD



Mills, William

From: Kevin Lakey [watermanager@cableone.net]
Sent: Tuesday, November 24, 2015 1:26 PM
To: Mills, William
Subject: RE: Comments on Temporary Appropriation at Greenhorn Gulch

Bill,

I will approve the permit for 2016 to reestablish vegetation after the Beaver Creek fire, but I agree that this should be the last year.

Kevin Lakey

From: Mills, William [<mailto:William.Mills@idwr.idaho.gov>]
Sent: Tuesday, November 24, 2015 8:43 AM
To: watermanager@cableone.net
Subject: Comments on Temporary Appropriation at Greenhorn Gulch

Kevin,
We've received an application for temporary appropriation from Harry R. Drackett III to appropriate 0.02 cfs from 4/15/2016 to 10/31/2016 with a total volume of 3.5 af to reestablish vegetation. This is the second year Mr. Drackett has requested a temporary appropriation and he has included a letter of consent from the Greenhorn Owners Association allowing him to utilize their wells and delivery system. He came in the office last week and stated that it takes a couple years to reestablish greenery, especially trees. Allen is considering conditioning this and any other applications from the Greenhorn Gulch subdivision to indicate that this is the last year we will process temporary applications for the purpose of reestablishing vegetation destroyed or damaged in the Beaver Creek fire. Please provide Watermaster comments and regarding this appropriation,
Thanks,
Bill Mills