

RECEIVED

ID No. TP-37-61

DEC 29 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT 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: William S. Potter Phone: 208-720-4466
 Mailing address: 95 Greenhorn Rd City: Hailey
 State ID ZIP 83333 Email: WSP4GOLF@GMAIL.COM

1. Source of water: Groundwater 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 #
03N	18E	18			NW	NE	BLAINE	GROUNDWATER	
03N	18E	18			NW	NE	BLAINE	GROUNDWATER	

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	
03N	17E	13				1.0													1.0

4. Describe proposed use of water SEE COVER LETTER

5. Amount of water:

Maximum rate of diversion _____ cfs or 16 gpm.

Maximum daily volume 0.35 AF; total volume 1.75 AF.

6. Duration of diversion: from APPROVAL DATE (day-month) to 10/31/15 (day-month).

7. Describe proposed diverting works: HOA owned and operated wells & distribution

8. a. Who owns the property at the requested point of diversion? Greenhorn HOA

b. Who owns the land to be irrigated or place of use? William S. & Linda A. Potter

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Owner in Trust

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.

WSP
 Signature of applicant

12/23/14
 Date

Received by DM Date 12-29-2014 Time 12:15 PM

\$50.00 fee receipted by DM # 5034474 Date 12-29-2014

Watermaster comments received? Asn Date 1/7/15

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 1.8 AF and a maximum rate of diversion of 0.04 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 10/31/2015.

Signed this 7th day of January, 2015.


For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NO. TP-37-61

- 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.

William S. Potter
95 Greenhorn Rd
Hailey, ID 83333

RECEIVED
DEC 29 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

December 22, 2014

Mr. Allan Merritt
IDWR
650 Addison Ave W
Suite 5
Twin Falls, ID 83301

RE: Greenhorn Gulch Fire and Flood Restoration

Dear Mr. Merritt,

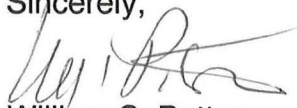
Pursuant to my conversation with Nathan in your office I find it necessary to reapply for temporary water appropriation on the above addressed property. The original application and approvals should be in your files. I have attached an updated application with the \$50.00 processing fee for your approval. In section 5 you will note that we have reduced the requested volumes by half.

Thanks to your approval last summer and the HOA's ability to deliver the additional necessary water we were able to establish a successful grow in on much of the site; however, we need more time and water to finish the job next summer.

As explained towards the end of the attached July 6, 2014 letter, because of the late start we were probably going to be unable to create enough plant and tree root mass to sustain some of the newer grading. Our predictions were accurate.

The HOA understands the situation and has approved my 2015. Please find their approval letter attached. Thank you again for your attention to this matter.

Sincerely,



William S. Potter

Encl:

GREENHORN OWNERS ASSOCIATION, INC.
P.O. Box 3534 KETCHUM, ID 83340

RECEIVED

DEC 29 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 23, 2014

Mr. Allen Merritt
IDWR
540 Addison Avenue West, Suite 5
Twin Falls, ID 83301

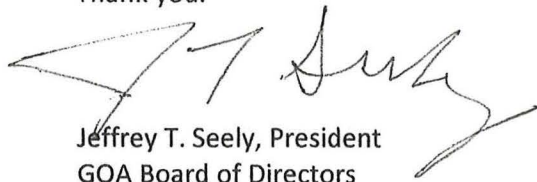
Dear Mr. Merritt,

The Greenhorn Owners Association board members have unanimously approved the following application:

Temporary Water Rights Application: William S. (Bill) Potter, Lot #3, 95 Greenhorn Road – in process

This application has been approved with the knowledge that at any time during this irrigation season, the Association has the rights and responsibility to curtail water usage for these rights if the Association water delivery system is negatively impacted or unable to deliver water to all or any of the Greenhorn owners.

Thank you.



Jeffrey T. Seely, President
GOA Board of Directors

cc: Bill Potter

COPY

William S. Potter
95 Greenhorn Rd
Hailey, ID 83333

July 6, 2014

Mr. Allan Merritt
IDWR
650 Addison Ave W
Suite 5
Twin Falls, ID 83301

RE: Greenhorn Gulch Fire and Flood Restoration
Application for Temporary Approval of Water Appropriation Section 4

Dear Mr. Merritt,

Since our phone conversation several weeks ago I have had further clarification discussions with Jeff Cooper and Bill Mills from your office. I have also used this time to determine the amount of additional grading and vegetation restoration work necessary at the above address. Also included is the extra temporary water required to quickly and efficiently establish soil stability.

As I have explained, our neighborhood was devastated by the Beaver Creek Fire in August, 2013. Please see attached photo. Three weeks later we found out that Mother Nature was not finished with us as the Greenhorn drainage was inundated with a flood and multiple mud and rock slides that caused major damage to the neighborhood in general and in our personal case, it deposited 3 million gallons and 3 feet of mud inside our house. We have undergone a massive property cleanup and restoration for the last 10 months. We are approaching completion of the multi-pronged project, and request your indulgence.

In the fire most of our destroyed property was irrigated grasses and trees as well as natural sagebrush and natural flora. The flood created additional wholesale damage to all areas. To prevent further flooding we imported soil to create drainage contours that will move water around the improved and formal areas rather than through them. Once the native areas are restored these areas will allow for efficient water dissipation and percolation.

Over the years we have curtailed much of our water usage as we respect that water is limited and valuable resource. With that mindset in place, for our

landscape repair we have prioritized our efforts into 2 components. Both are important to protect the site for different reasons (soil stability, dust avoidance and noxious weed control) but due to lack of water allocation we had to place soil stability first.

Because final grading was not complete until recently we could not take advantage of the spring rains and with our current water allotment we have hydro-seeded a mixture of both quick germinating grasses and drought tolerant plants. The quick seeds are currently sprouting but the more drought tolerant seeds will take additional time. Outside of allocated areas we are asking for additional temporary water to finish the job. If topsoil is left dry it will wind erode and be a breeding ground for weeds, noxious and otherwise, and effect air and landscape quality.

Depending on plant growth for the remainder of this season we may have to reapply for next year, as well, but let this attached application suffice for now. Next spring we may have to revisit for some additional allocation.

Because we divert water from the Greenhorn wells we ask that the HOA's allotment be increased approximately 3.5 acre feet until October 15, 2014. Many homeowners in the subdivision are experiencing similar situations and will require your assistance as well. They will be submitting applications too.

I want you to know that my wife and I appreciate your attention and consideration of these extraordinary needs.

Sincerely,



William S. Potter

cc: File

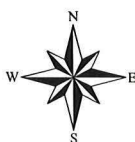
Idaho Department of Water Resources




William S. Potter
Temporary Application for Permit

Legend

- Township/Range
 - Sections
 - QQ



0 0.075 0.15 0.3 Miles

From: **William S. Potter** wsp4golf@gmail.com 
Subject:
Date: July 2, 2014 at 2:50 PM
To: **Little Linda Potter** mrsp823@gmail.com



Sent from my I-Phone



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

January 7, 2015

WILLIAM S POTTER
95 GREENHORN RD
HAILEY, ID 83333

RE: Copy of Temporary Water Right Application: TP-37-61

Dear Mr. Potter:

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,

Denise Maline
Administrative Assistant

Enclosure

cc: Kevin Lakey, Water District 37
Greenhorn Homeowners Association