



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

July 8, 2014

WILLIAM S POTTER
95 GREENHORN RD
HAILEY, ID 83333

RE: Temporary Water Right Application: TP-37-57

Dear Applicant(s):

Enclosed is an approved copy of the above referenced 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 Owners Association Inc.

RECEIVED

JUL 07 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESID No. TP-37-57DEPT. OF WATER RESOURCES
DIVISION REPORT

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 0.07 AF; total volume 3.5 AF.

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

[Signature]
 Signature of applicant

7.3.14
 Date

Received by J. Cooper Date 7/7/2014 Time 9:18
 \$50.00 fee receipted by J. Cooper # 5034128 Date 7/7/2014
 Watermaster comments received? _____ Date _____

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 16 cfs gpm.
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 October 31, 2014

Signed this 7th day of July, 2014.


For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NO. TP-37-57

- 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.

GREENHORN OWNERS ASSOCIATION, INC.

PO Box 3534

Hailey, ID 83340 83340

Ketchum

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JUL 07 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

July 3, 2014

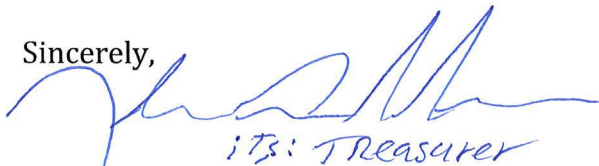
Mr. Allan Merritt
IDWR
650 Addison Ave W
Suite 5
Twin Falls, ID 83301

Dear Mr. Merritt,

The Greenhorn Owners Association owns and operates the subdivision's water system and is the licensed operator of the two wells that supply the system. Please be advised that the board is aware and endorses the application for the supplemental Temporary Approval of Water Appropriation for individual homeowners whose landscape has been negatively affected by last summer's fire and subsequent flood. To date we are aware that the Drackett's (lot 1) and the Potter's (lot 3) have filed applications.

Further while we endorse these applications we also understand that these temporary allocations will be in addition to the gallons allowed by our 2 licenses. If otherwise please notify us.

Sincerely,



ITS: TREASURER

For the Board of Directors
Greenhorn Owners Association

WILLIAM S. POTTER
95 GREENHORN GULCH RD
HAILEY, ID 83333

RECEIVED
JUL 07 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

July 6, 2014

Mr. Allan Merritt
IDWR
650 Addison Ave W
Twin Falls, ID 83333

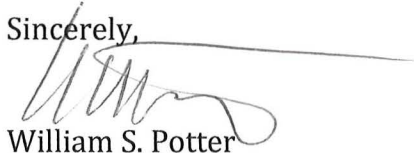
Dear Mr. Merritt,

Per subsequent conversations with Jeff Cooper please find all of the information necessary to complete the Application for Temporary Approval of Water Appropriation, including: the cover letter explaining details, photo of the Greenhorn drainage, the application, a letter from the Greenhorn Owners Association BOD and a \$50.00 check for the processing fee.

I hope all in order and approval will be forthcoming.

All of us in Greenhorn thank you for your understanding and assistance.

Sincerely,



William S. Potter

encls:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RETURN SERVICE REQUESTED

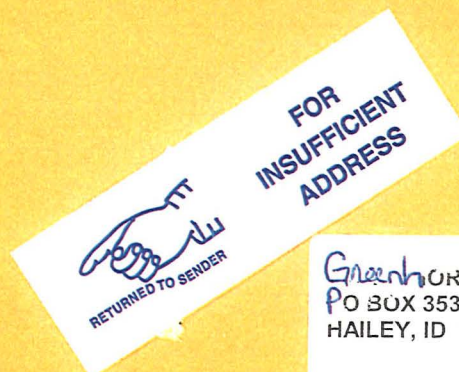


RECEIVED

JUL 17 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

→ TP-37-57
TP-37-58

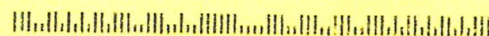


Greenhorn OWNERS ASSN.
PO BOX 3534
HAILEY, ID 83333

} Should be
Ketchum, Id
83340

NIXIE 000002025-1N 07/14/14

RETURN TO SENDER
NO MAIL RECEPTACLE
UNABLE TO FORWARD
RETURN TO SENDER



UTP
sent again 7/17/2014 dm

William S. Potter
95 Greenhorn Rd
Hailey, ID 83333

RECEIVED
JUL 07 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

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.

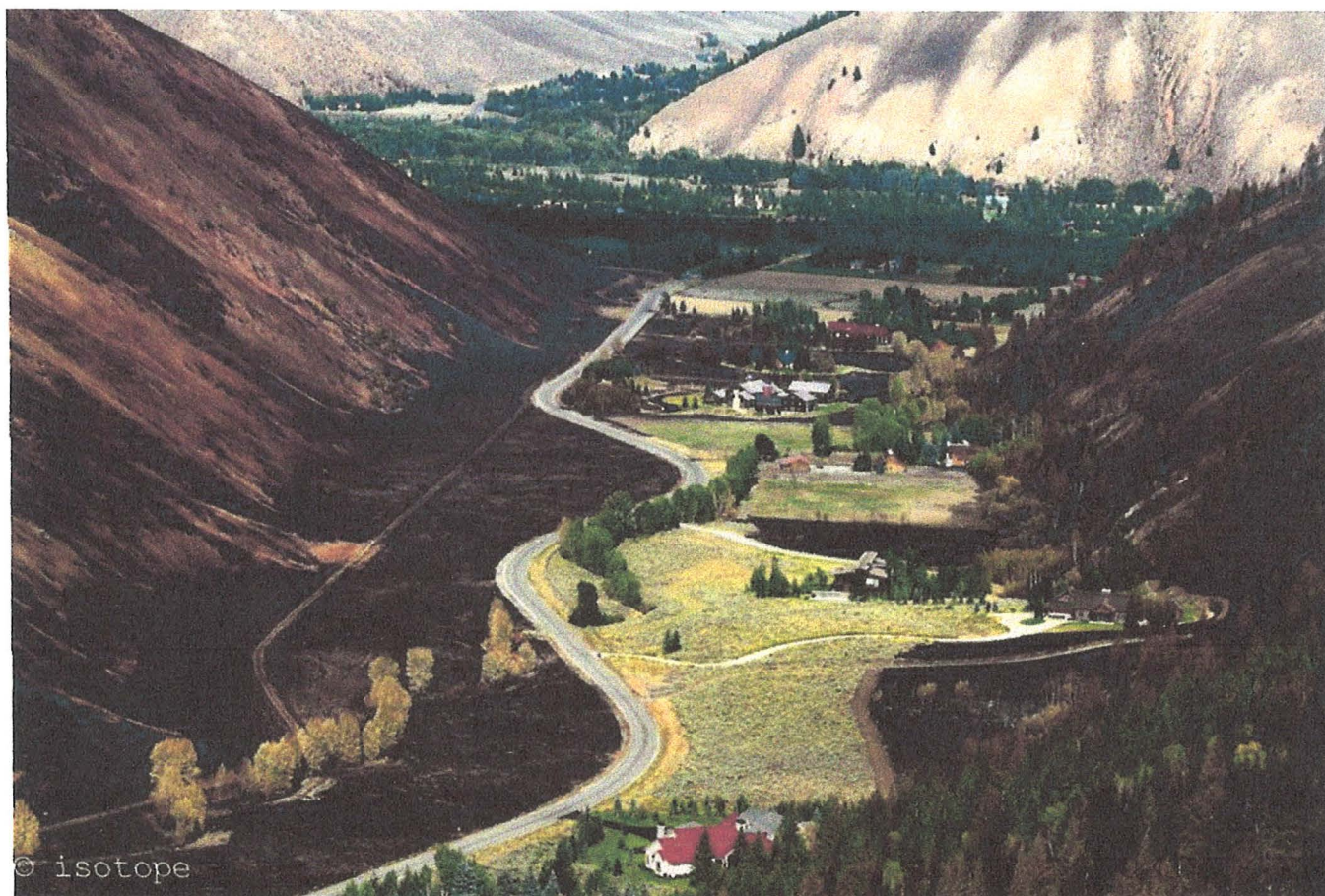
Sincerely,

A handwritten signature in black ink, appearing to read 'William S. Potter', with a long, sweeping horizontal line extending to the right.

William S. Potter

cc: File

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

MEMORANDUM

DATE: July 7, 2014

TO: Allen Merritt, File TP-37-57

FROM: Jeff Cooper

RE: Application for Temporary Approval of Water Appropriation

An application for temporary approval of water appropriation (TP-37-58) was filed with the Department on June 7, 2014 by William S. Potter (receipt #S034128) for the purpose of post-fire rehabilitation of grasses and trees damaged in a recent natural disaster. Applicant proposes to divert up to 16 gpm (3.5 AF) to reestablish trees and vegetation, on approximately one acre, destroyed by the 2013 fire & flash flood. Applicant proposes to use the Greenhorn Gulch Owners Association delivery system, authorized under right 37-8464. Applicant provided a letter from the Greenhorn Gulch Owners Association, signed by the treasurer John Prudden, indicating that the owners association is in support of the applications. It should be also noted that this lot (LOT 3 Greenhorn Subdivision) has irrigation authorized under 37-8464 and this temporary appropriation is to supplement that right for areas within the lot that were affected.

I spoke with Kevin Lakey, Watermaster WD37, with regards to the application on July 7, 2014, and he indicated he did not have any issues with the appropriation.

The attached map shows the proposed POU and POD (two wells that supply 37-8464).

