

MEMORANDUM

TO: Water Right File 63-12097

FROM: Clay Webster CW

DATE: October 2, 2018

RE: Combined Diversion Rate Limit for 63-12097

Water right 63-11874, 63-11831, 63-32232 and 63-12097 all are authorized to divert from a well located in SWSE of S33, T3N, R1E (Well # 1).

Right 63-11874 is authorized to divert 0.72 cfs from two well locations. The second well is located in the SWSW of S33, T3N, R1E has a capacity of 0.79 cfs. Therefore 63-11874 can divert the total from a second well location.

63-11831 diverts entirely from Well # 1 and authorizes 0.80 cfs.

63-32232 authorizes 0.72 cfs from three separate wells. The first *other* well is located in NESE S32, T3N, R1E has a capacity of 1.65 cfs (shown in field exam report for 63-10416). The second *other* well is located in SWSW, Sec 33, T3N, R1E and no capacity of this well was determined at the time of the transfer. However, this right could fully divert at the second well location.

63-12097 authorizes 2.20 cfs and diverts from two wells. The second well is located in SWNE of S4, T2N, R1E and has a flow rate of 2.14 cfs. This would require 63-12097 to divert at least 0.06 cfs from this well location when diverting at full capacity. This would require a flow capacity of $0.80 + 0.06$ to enable the well to be operated at 0.86 cfs to fulfill the water right needs. 0.93 cfs was measured from Well # 1 in the field exam performed for this license. The capacity of this well has not been exceeded and it is unnecessary to include a combined limit condition on license 63-12097.

There is a concern that 63-11874 is diverting solely from Well # 1 due to not having access to the other authorized well. In this scenario, the need for these three rights to divert at capacity would be $0.72 + 0.80 + 0.06 = 1.58$ cfs. This exceeds the well capacity of 0.93 cfs. In order to avoid an injury concern the following condition will be placed on license 63-12097:

Rights 63-11831, 63-11874, 63-12097 and 63-32232 when combined shall not exceed a total diversion rate of 0.93 cfs from the well located in SWSE, Section 33, T03N, R01E.

Webster, Clay

From: Webster, Clay
Sent: Tuesday, October 02, 2018 4:17 PM
To: 'Michael P. Lawrence'
Cc: Michael C Creamer; Terry M. Scanlan PE, PG (tscanlan@spfwater.com); Nelson, Dan
Subject: RE: 63-12097 License for Boise Ranch Golf Course Well [IWOV-GPDMS.FID585702]

Mike,

Thanks for discussing this matter with me. IDWR is issuing a revised preliminary order for this license.

Sincerely,
Clay Webster
Water Rights Supervisor
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

From: Michael P. Lawrence [mailto:mpl@givenspursley.com]
Sent: Tuesday, October 02, 2018 4:13 PM
To: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Cc: Michael C Creamer <mcc@givenspursley.com>; Terry M. Scanlan PE, PG (tscanlan@spfwater.com) <tscanlan@spfwater.com>; Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Subject: RE: 63-12097 License for Boise Ranch Golf Course Well [IWOV-GPDMS.FID585702]

Clay,

As we just discussed on the phone, you confirmed that IDWR considers Terry Scanlan's email below as a timely petition for reconsideration of IDWR's Preliminary Order issuing License No. 63-12097 (served on September 18, 2018, copy attached).

I also understand that, based on Terry's comments, today IDWR is issuing a revised Preliminary Order issuing License No. 63-12097 which will start a new 14-day period for requesting reconsideration.

Thank you,
Mike

MICHAEL P. LAWRENCE

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From: Terry Scanlan

Sent: Monday, October 1, 2018 6:56 PM

To: 'clay.webster@idwr.idaho.gov' <clay.webster@idwr.idaho.gov>; 'Nelson, Dan'

<Dan.Nelson@idwr.idaho.gov>

Cc: 'Charles Wilson' <wilsonproperties@qwestoffice.net>; Mike Creamer (mcc@givenspursley.com)

<mcc@givenspursley.com>

Subject: 63-12097 License for Boise Ranch Golf Course Well

Clay and Dan –

Condition No. 1 of license 63-12097 (licensed 9/14/18 with date of service 9/18/18) is concerning to me. It says *"Rights 63-11831, 63-11874, and 63-12097 when combined shall not exceed a total diversion rate of 1.65 cfs."*

My concern is that although the right was licensed for 2.20 cfs, this condition seems to limit the diversion rate for the right to 1.65 cfs. It appears that the intent of condition was to limit the diversion rate from the former Darwin McKay well on the soccer field site that is shared with other rights, but as written it can be interpreted to limit the diversion rate for right 63-12097 in total. I assume that Condition should have said *"Rights 63-11831, 63-11874, and 63-12097 when combined shall not exceed a total diversion rate of 1.65 cfs from the point of diversion located in the SWSE Section 33, T3N, R1E."*

Let me know if I am misinterpreting this condition, or if it can be changed. Thanks.

Terry M. Scanlan, P.E., P.G. | Principal Engineer/Hydrogeologist

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