

Keen, Shelley

From: Keen, Shelley
Sent: Monday, May 01, 2017 4:11 PM
To: jim@speckandaanestad.com
Cc: 'Charles G. Brockway'; Thiel, Sandra
Subject: FW: Heatherlands
Attachments: 37-8220_Irrigation.pdf; Heatherlands.pdf

Jim,

Permit 37-8220 authorized 60.5 acres of irrigation without specifying that the irrigation is limited to half an acre per lot. I've attached Sandy's map showing the 60.5 acres of actual irrigation she found for 37-8220. The map is the irrigation place of use Sandy used for the draft amendment of permit she has prepared. In this case, the irrigation is not a component of the domestic use, as it is on some permits for subdivisions. Therefore, I am not inclined to recommend licensing of irrigation on lots that were not actually irrigated (stub-outs), as if the irrigation were permitted as a component of the domestic use.

I've also attached Sandy's draft amendments for all three Heatherlands HOA permits. If necessary, Sandy will send out the formal amendment letter with paper copies next Monday. As usual, we will wait 14 days for the applications for amendment to be signed and returned. If the applications for amendment are not returned within the specified time, IDWR will issue licenses for those portion of the water use that are consistent with the original permits.

Please call or email if you have questions.

Regards,

Shelley

Shelley Keen
Water Rights Section Manager
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

From: Thiel, Sandra
Sent: Tuesday, April 25, 2017 4:54 PM
To: James Speck <jim@speckandaanestad.com>; Charles G. Brockway <charles.g.brockway@brockwayeng.com>
Cc: 'Laura Gvozdaz' <sunco1007@cox-internet.com>; Keen, Shelley <Shelley.Keen@idwr.idaho.gov>
Subject: RE: Heatherlands

I used the National Agricultural Imagery Program (NAIP) imagery for years 2009, 2011, 2013 and 2015 to digitize the acres. The maps that you received for 37-8220 and 37-8686 are the result. I can send you the shape files. There have been more acres irrigated than are allowed under the permits.

Sandra Beer Thiel
Idaho Department of Water Resources

322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

From: James Speck [<mailto:jim@speckandaanestad.com>]
Sent: Tuesday, April 25, 2017 4:37 PM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>; Charles G. Brockway <charles.g.brockway@brockwayeng.com>
Cc: 'Laura Gvozdaz' <sunco1007@cox-internet.com>; Keen, Shelley <Shelley.Keen@idwr.idaho.gov>
Subject: RE: Heatherlands

Sandy,

Please provide your map that was used to calculate the irrigated acres for each lot in the Heatherlands & Sundance Subdivisions. I agree with Chuck that the irrigation POU for both Subdivisions must include the undeveloped lots.

Jim

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Tuesday, April 25, 2017 4:20 PM
To: James Speck; Charles G. Brockway
Cc: 'Laura Gvozdaz'; Keen, Shelley
Subject: Heatherlands

Hello,

The attached map shows the domestic and fire protection place of use for right 37-8220. The 2.5 acres of common area are covered by right 37-159B.

Permit 37-8220 allows for 60.5 acres of irrigation. The conditions do not limit the right to ½ acre per lot. A review of the aerial imagery since 2009, shows the area irrigated under rights 37-8220 and 37-8831 to be over 61 acres. If I include the acres irrigated under 37-8686, the average area irrigated for each lot is 0.55 acres with the maximum being almost an acre. There are several undeveloped lots that have not historically been irrigated. When those lots are developed it may be necessary for Heatherlands to file a transfer to cover any new irrigation.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

From: Charles G. Brockway [<mailto:charles.g.brockway@brockwayeng.com>]
Sent: Tuesday, April 25, 2017 11:11 AM
To: 'James Speck' <jim@speckandaanestad.com>; Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Cc: 'Laura Gvozdaz' <sunco1007@cox-internet.com>; Keen, Shelley <Shelley.Keen@idwr.idaho.gov>
Subject: RE: Heatherlands

That was going to be my comment as well. Also, it appears that there are a number of lots which are not covered by the domestic and irrigation shape files. I haven't checked them all but a few examples would be Lot 2 Blk 2, Lot 3 Blk 2, Lot

21 Blk 2, Lot 20 Blk 3, and Lot 114 Blk 8; and Sundance Lot 5, 6, 9, 11. I believe both the domestic and irrigation shape files need to cover both built and unbuilt lots in order to be consistent with the water right remarks/conditions.

Thanks,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: James Speck [<mailto:jim@speckandaanestad.com>]
Sent: Tuesday, April 25, 2017 10:38 AM
To: Sandy Thiel (sandra.thiel@idwr.idaho.gov)
Cc: Charles G. Brockway (charles.g.brockway@brockwayeng.com); Laura Gvozdas (sunco1007@cox-internet.com); Keen, Shelley
Subject: FW: Heatherlands

Sandy,

I believe the irrigation of the 60.5A under 37-8220 should be 0.5A on each of the original 116 lots in the subdivision (which now include the developed and undeveloped townhome lots) plus 2.5A of the Lot 118 common space for the 60.5A total. Your POU map does not seem to include all of this. Can you explain how you arrived at the acre totals for each 1/41/4 section? Thanks.

Jim

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Tuesday, April 25, 2017 10:00 AM
To: James Speck
Cc: Charles G. Brockway (charles.g.brockway@brockwayeng.com)
Subject: Heatherlands

Hello, The attached document has the amendments for permits 37-8220, 37-8686 and 37-8831. I plan to mail these documents tomorrow.

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov