

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 65-13704

WATER RIGHT NUMBER: 65-13704

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M RESORTS LTD 1 MARKET PL SAN DIEGO, CA 92101-7714 (208)634-2244
Current Owner	SABALA WHITETAIL LLC 501 W LAKE ST MCCALL, ID 83638

Priority Date: 11/04/1996

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01 to 12/31		80.00 AF
IRRIGATION STORAGE	1/01 to 12/31		80.00 AF
IRRIGATION FROM STORAGE	4/15 to 10/15		80.00 AF
DIVERSION TO STORAGE	1/01 to 12/31	2.000 CFS	
IRRIGATION	4/15 to 10/15	2.000 CFS	
RECREATION	1/01 to 12/31	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Split Breakdown

<u>65-13704</u> volume: 65.6 af diversion Rate: 0.76 cfs	<u>65-73452</u> 14.4 af 0.25 cfs
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Location of Point(s) of Diversion

GROUND WATER VALLEY County	NW1/4SE1/4	Sec. 12, Twp 18N, Rge 02E, B.M.
GROUND WATER VALLEY County	SW1/4SE1/4	Sec. 7, Twp 18N, Rge 03E, B.M.
GROUND WATER VALLEY County	SE1/4NE1/4	Sec. 12, Twp 18N, Rge 02E, B.M.
GROUND WATER VALLEY County	L2 (SW1/4NW1/4)	Sec. 7, Twp 18N, Rge 03E, B.M.
GROUND WATER VALLEY County	L3 (NW1/4SW1/4)	Sec. 7, Twp 18N, Rge 03E, B.M.
GROUND WATER VALLEY County	SE1/4SW1/4	Sec. 7, Twp 18N, Rge 03E, B.M.
GROUND WATER VALLEY County	SE1/4NW1/4	Sec. 7, Twp 18N, Rge 03E, B.M.

Place of Use

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IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	12													10.0				10.0
18N	03E	7							39.0	17.0	15.0	39.0		10.0		40.0	30.0		190.0
									L 2				L 3						

Total Acres: 200

IRRIGATION FROM STORAGE same as IRRIGATIONRECREATION same as IRRIGATIONConditions of Approval:

1. R62 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. 101 This right shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
3. 120 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
4. Two points of diversion are located within SENE, S12, T18N, R02E.
Use of water under this right is affected by an agreement between the right holder and the protestant. The right holder shall maintain records of water quantity and quality as set forth in the agreement between the parties. Upon request, the right holder shall submit those records to the department.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
8. 18A The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
9. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

Remarks:

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Comments:

1. SLESTER 12/2/1996 ADDITIONAL INFORMATION

Comment: Application held pending S.O. direction regarding irrigation uses in open areas in Western Region. Filing made as result of complaint site visit re Bezates Land & Cattle Co. (see held appls 65-13693 & 65-13694 for land south of M Resorts property). If processing resumes, recommend process all 3 appls. together since protests expected. 2 P/D in SENE and single P/D on/near line NESE-NWSE, S12. Four wells drilled & four proposed. See drilling permit file info. Use is for golf course irrig. & rec. includes swimming/fishing ponds. Several ponds will store total of 80 af. Surface water not to be used to fill/maintain ponds - just well water. One pond is existing Betsey Lake (re: Oct. 1996 Bezates complaint & lapsed permit 65-13452). If any surface water, e.g. misc. runoff, gets into any ponds, will be flow-through only per applicants 11-20-1996 letter.

2. SLESTER 12/9/1997 PROCESSING UPDATE

Comment: This application can now be processed per applicants agreement to accept mitigation based on future finding & procedure as yet to be determined. The filing should be considered along with Bezates ground water application being processed at the same time under same possible mitigation concept (65-13693). Of the existing wells, 1 well in SENE and 1 well in NWSE S.12 (no longer considered on/near QQ line for latter well per newer info available to IDWR) have been upgraded from \$75 domestic to \$200 non-domestic per actions in permit 65-13738 (NWSE well for Betsey Lake) and pending application 65-13751 (SENE well for Annie and Whitetail Ponds). Two wells in SESW & SWSE S.7 also need to be upgraded (balance due is \$250). The remaining wells have not been drilled. Irrigation filing includes same S.12 wells as 65-13738 (NWSE P/D) and 65-13751 (NWSE plus 2 P/D in SENE) - both for non-irrigation. Still 2 P/D in SENE S.12. All uses are for a golf course. Same golf course site more or less covered by Payette Lake permit 65-13640, which does not appear to have been developed yet. Legal notice includes mitigation statement. Comment letter should be sent to Bezates and to Watermaster #65.

3. SLESTER 12/12/1997 SECTION 12 WELLS

Comment: 2 existing and 1 proposed wells in S.12 are now correctly listed under \$200 drilling permits. See 12/1/297 Comments in application 65-13751. D.P. upgrades for existing S.7 wells are yet to be completed.

4. SLESTER 1/14/1998 INFORMATION UPDATE

Comment: Per applicants 1/6/98 letter, acres reduced to 200 so large diversion information n/a. Wants to keep 2 wells in S.7 as non-production wells so d.p. upgrade n/a at this time.

5. Renumber 5/16/2011 1:09:15 PM Renumber WR 65-13704

Comment: This has been renumbered to 65-23452

6. cpadilla 5/16/2011 WR Termination/Status Change

Comment: Field exam conducted on July 30, 2010 reflected that the system under permit 65-13704 should be split. 2 wells serve Whitetail Pond and 1 well serves Betsey Lake. The right that serves Whitetail is 65-13704 and the right that serves Betsey Lake is 65-23452.