

MEMORANDUM

TO: Water Right File – 63-10719
FROM: Aaron Skinner – Water Resource Agent
DATE: 3/29/2017
SUBJECT: Field Exam Review

This water right permit was approved on April 21, 1989 for domestic and irrigation use with a diversion rate of 0.04 and 0.14 cfs respectively. Proof of Beneficial Use was submitted on June 18, 1990. The field exam was completed by Department staff on June 4, 1993.

I was assigned this file on March 29, 2017 and have since read the backfile, field exam, notes, and pictures. The documents appear to be complete and accurate. Notes from Steve Lester dated 7/9/1993 suggest concern about limiting the licensing rate and volume amounts because an insufficient examination fee was paid. In this case, no fee was paid. It was suggested to limit the license to 0.04 cfs and a volume limit of 0.6 af for domestic and 19.5 af for irrigation of 7 acres.

A collaborative conclusion including Nick Miller, Angie Grimm, and myself was reached in that according to the Beneficial Use Examination Rule 50c, the Department can notify the permit holder and allow them to pay the correct examination fee, along with a payment penalty to appropriate the permitted rate and volume. Irrigation use will be identified as supplemental per exam notes. Upon receipt of \$75 (\$50 B/U fee and \$25 late fee) a license will be drafted. If no fee is received, the permit will be licensed for domestic use only per B/U form submission.

BACKGROUND

Diversion rates on the application and permit match, but when the permit holder submitted their Beneficial Use form, they explained to the Department that only the domestic use was developed, therefore, did not pay a fee because they fell under the definition of exempt domestic use. When Rick Collingwood performed his field exam, he identified both domestic and irrigation uses as developed. At that time, irrigation was supplemental to Nampa-Meridian Irrigation. A phone conversation with Mr. David Loewenstein on March 28, 2017 who is the property manager for the church property, explained that currently the only use of the 6" well is for irrigation of the 7 acres. The well has since become contaminated, so the church doesn't pull domestic water from the well anymore.

Ownership: Permit No. 63-10719 is in the name of Seventh Day Adventist Church. Ada County taxlot data shows Southern Idaho Corporation Seventh Day Adventists with the same mailing address as on file. IDSOS does not identify a business under either name with matching addresses or name.

Source, POU, POD: The source is groundwater, which uses a 10 HP pump in a 6" casing well that supplies water to the church. The church contains 31 separate fixtures. Water for irrigation is only used as a backup or when ditch water is not available. Irrigation water is delivered via underground sprinklers per field exam notes. Both the POD and POU are located in Township 03N Range 01E Section 09 in the SENE. The permitted POU totals 7 acres of land. ArcMap aerial calculations limit the irrigation acres to 6.6 acres.

Diversion rate and Volume: The permitted diversion rate is 0.18 cfs (domestic = 0.04 cfs and irrigation = 0.14cfs) with no volume limit. The field exam states a 5 gallon bucket test was completed using a spigot in a storage room of the church (domestic use). The bucket filled in 30 seconds or 10 gpm. This totals 0.02 cfs pressurized. Rick used the example of estimating "Public Building" water requirements sheet out of the old field examiner's handbook to calculate domestic use for the 31 fixtures. This totaled 0.07 cfs. According to Administrator's Memorandum # 22, a diversion rate of 0.04 cfs and a volume limit of 0.6 af is applicable and was recommended by Rick for the domestic use. Irrigation use was permitted based off of acreage (7 acres X 0.02 cfs). Using the new acreage total of 6.6 acres, the irrigation use rate should be adjusted to 0.13 cfs (6.6 acres X 0.02 cfs). Therefore, the total diversion rate for both uses is 0.17 cfs. This seems to be fair and adequate to recommend to licensing.

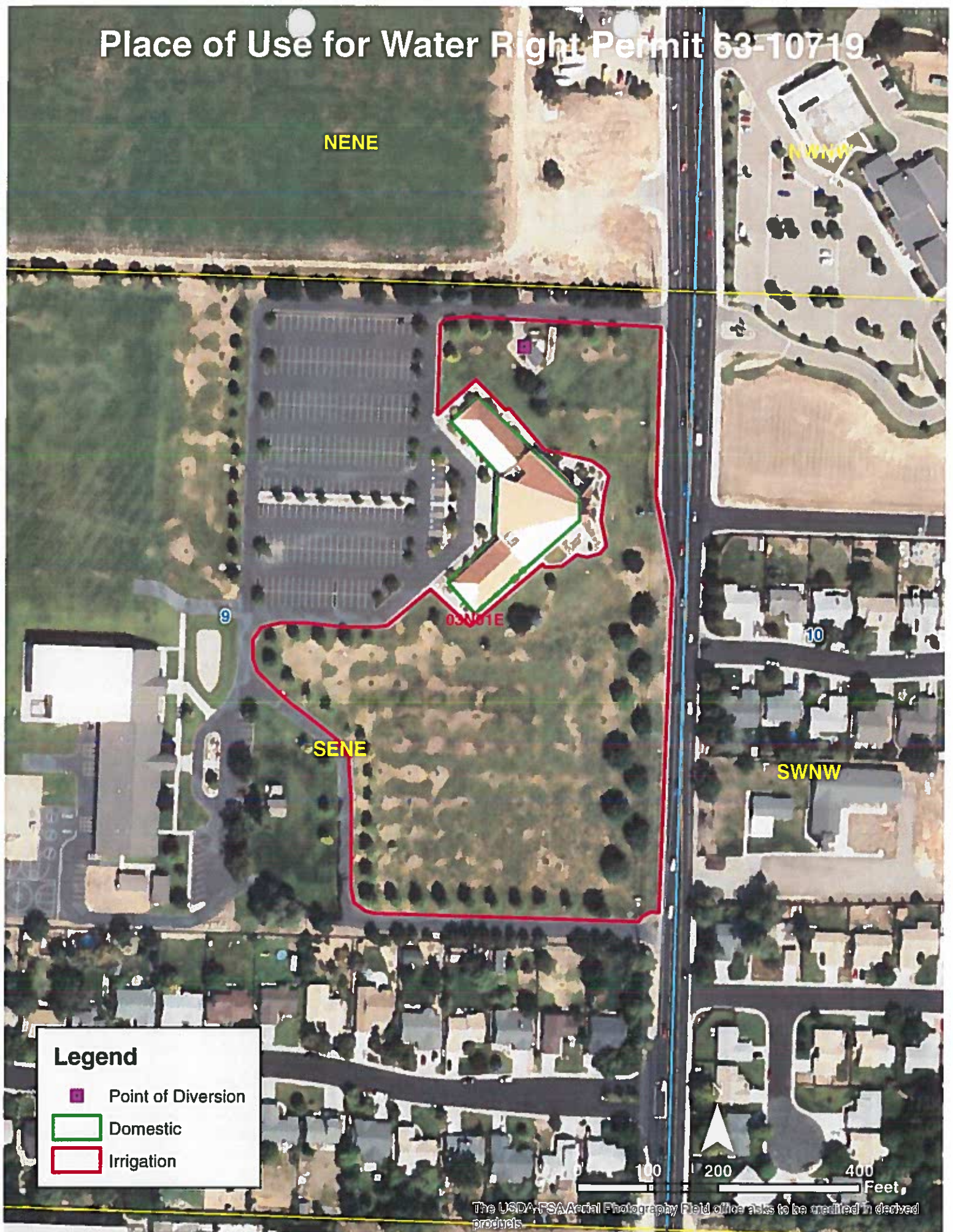
Rick suggested an irrigation volume limit of 19.5 af (0.04 cfs X 246 days X 1.9835). This was calculated by limiting the rate to 0.04 cfs instead of the permitted rate of 0.14 because of no fee being paid. Once the \$75 fee is paid by the church, volume limits will be adjusted to 29.7 af (6.6 acres X 4.5 HG). Therefore, the total recommended volume limit is 30.3 af (29.7 af + 0.6 af).

Overlap Review: POD overlap analysis found one right that overlaps with this permit; 63-11232. WR No. 63-11232 uses the same borehole as this permit, but is owned by United Water Inc. and each well has its own pump. In my conversation with Mr. Loewenstein, he mentioned the well for WR No. 63-11232 has since been abandon and filled in with concrete. Department records do not show this as an abandon well. Therefore, overlap is identified, but no limits are recommended since the wells are two separate systems.

POU overlap analysis revealed several irrigation rights from the Nampa & Meridian Irrigation District. It is unknown which right specifically overlaps, so supplementary conditions were added and forwarded to licensing. Mr. Loewenstein was unsure if the property used surface water as a primary method of irrigation. The Department will only license this right as a supplementary right. The church will need to apply for primary irrigation rights with mitigation if necessary.

Summary: It is recommended to license Permit No. 63-10719 for a diversion rate of 0.17 cfs (domestic for 0.04 cfs; irrigation for 0.13 cfs) and a volume limit of 30.3 af (domestic for 0.6 af; irrigation for 29.7 af). Conditions 046 and 03A were removed for licensing and 065, WB7, R61, and 105 were added and forwarded to licensing. The B/U fee was received on 4/7/2017 and the receipt is attached to the file.

Place of Use for Water Right Permit 63-10719



Overlap Analysis for Permit No. 63-10719 POD

Process	BasinSequence	Draft	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	TotalAcres
Water Right	63-10719	Y	SEVENTH DAY ADVENTIST CHURCH	GROUND WATER																		
Water Right	63-11040	N	ALBERTSON'S LLC	GROUND WATER																		
Water Right	63-11232	N	UNITED WATER IDAHO INC	GROUND WATER																		
Water Right	63-12513	N	DDR CORP	GROUND WATER																		
Water Right	63-15460	N	LLOYD WILSON HALL	GROUND WATER																		
Water Right	63-15461	N	LLOYD WILSON HALL	GROUND WATER																		
Water Right	63-16007	N	BARR, MARIAM E	GROUND WATER																		
Water Right	63-16792	N	BOYD, ELSIE; BOYD, JAMES	GROUND WATER																		
Water Right	63-18333	N	CLOVERDALE MEMORIAL PARK INC, GIBSON, TIM T	GROUND WATER																		
Water Right	63-18416	N	CLOVERDALE MEMORIAL PARK INC	GROUND WATER																		
Water Right	63-18687	N	KREGER, AARON W; KREGER, JANICE	GROUND WATER																		
Water Right	63-21699	N	ELLIS, KENNETH C; ELLIS, THERESA L	GROUND WATER																		
Water Right	63-21836	N	PRICE, RICHARD	GROUND WATER																		
Water Right	63-21966	N	MAYES, CARMEN E; MAYES, OREN C; RONALD W VAN AUKE INC	GROUND WATER																		
Water Right	63-22385	N	DOBARAN, ARVELLA; DOBARAN, JOE; DOBARAN, JOHN F	GROUND WATER																		
Water Right	63-27974	N	ROYAL FORK RESTAURANT CORP	GROUND WATER																		
Water Right	63-27976	N	S A B Y	GROUND WATER																		
Water Right	63-30412	N	RONALD W VAN AUKE INC	GROUND WATER																		
Water Right	63-32929	N	CLOVERDALE MEMORIAL PARK INC, GIBSON JR, DANIEL G; GIBSON, CAROLYN A	GROUND WATER																		
Water Right	63-32930	N	CLOVERDALE MEMORIAL PARK INC, CLOVERDALE PARK INC, GIBSON JR, DANIEL G; GIBSON, CAROLYN A	GROUND WATER																		
Water Right	63-32931	N	CLOVERDALE MEMORIAL PARK INC, GIBSON JR, DANIEL G; GIBSON, CAROLYN A; GIBSON, TIM T	GROUND WATER																		
Water Right	63-9032	N	BURKE, RICHARD N	GROUND WATER																		

Identified overlap on field exam

Overlap Analysis for Permit No. 63-10719 POU

Process	BasinSequence	Draft	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	TotalAcres
Water Right	63-10105	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-10150	N	BARBER WATER CO INC, CREAMER, MICHAEL C; UNITED WATER IDAHO INC	GROUND WATER	MUNICIPAL																	
Water Right	63-10386	N	CREAMER, MICHAEL C; UNITED WATER IDAHO INC	GROUND WATER	MUNICIPAL																	
Water Right	63-10391	N	CREAMER, MICHAEL C; SOUTH COUNTY WATER CO; UNITED WATER IDAHO INC	GROUND WATER	MUNICIPAL																	
Water Right	63-10405	N	CREAMER, MICHAEL C; UNITED WATER IDAHO INC	GROUND WATER	MUNICIPAL																	
Water Right	63-10719	Y	SEVENTH DAY ADVENTIST CHURCH	GROUND WATER	DOMESTIC																	
Water Right	63-10719	Y	SEVENTH DAY ADVENTIST CHURCH	GROUND WATER	IRRIGATION																	
Water Right	63-10840	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-11040	N	ALBERTSON'S LLC	GROUND WATER	FIRE PROTECTION																	
Water Right	63-11185	N	MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD; SETTLERS IRRIGATION DISTRICT	GROUND WATER	IRRIGATION																	
Water Right	63-11558	N	UNITED WATER IDAHO INC	GROUND WATER	MUNICIPAL																	
Water Right	63-11737	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-11922	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12039	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12055	Y	UNITED WATER IDAHO INC	BOISE RIVER	MUNICIPAL																	
Water Right	63-12162	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12173	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12181	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12295	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12363	N	UNITED WATER IDAHO INC	GROUND WATER	MUNICIPAL																	
Water Right	63-12378	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12416	N	CITY OF MERIDIAN	GROUND WATER	MUNICIPAL																	
Water Right	63-12513	N	DDR CORP	GROUND WATER	MUNICIPAL																	
Water Right	63-12560	N	CITY OF MERIDIAN	GROUND WATER	IRRIGATION																	
Water Right	63-136	N	BARKER ROSHOLT & SIMPSON LLP	BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; H L RANDAL ET AL	BOISE RIVER																	
Water Right	63-1378	N	BARKER ROSHOLT & SIMPSON LLP	BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; PIONEER DIXIE DIST	BOISE RIVER																	
Water Right	63-15460	N	LLOYD WILSON HALL	GROUND WATER	DOMESTIC																	
Water Right	63-15460	N	LLOYD WILSON HALL	GROUND WATER	STOCKWATER																	
Water Right	63-15461	N	LLOYD WILSON HALL	GROUND WATER	DOMESTIC																	
Water Right	63-16007	N	BARR, MARIAM E	GROUND WATER	DOMESTIC																	
Water Right	63-16792	N	BOYD, ELSIE; BOYD, JAMES	GROUND WATER	DOMESTIC																	
Water Right	63-169F	N	CREAMER, MICHAEL C; UNITED WATER IDAHO INC	BOISE RIVER	MUNICIPAL																	
Water Right	63-18333	N	CLOVERDALE MEMORIAL PARK INC, GIBSON, TIM T	GROUND WATER	DOMESTIC																	
Water Right	63-18416	N	CLOVERDALE MEMORIAL PARK INC	GROUND WATER	DOMESTIC																	
Water Right	63-18687	N	KREGER, AARON W; KREGER, JANICE	GROUND WATER	DOMESTIC																	
Water Right	63-19456	N	CREAMER, MICHAEL C; UNITED WATER IDAHO INC	GROUND WATER	DOMESTIC																	
Water Right	63-198AJ	N	DAVIS, THOMAS; HONSINGER, CHARLES L; NAMPA & MERIDIAN IRRIGATION DISTRICT	BOISE RIVER	IRRIGATION																	
Water Right	63-198AJ	N	DAVIS, THOMAS; HONSINGER, CHARLES L; NAMPA & MERIDIAN IRRIGATION DISTRICT	MORES CREEK	IRRIGATION																	
Water Right	63-199B	N	DAVIS, THOMAS; HONSINGER, CHARLES L; NAMPA & MERIDIAN IRRIGATION DISTRICT	BOISE RIVER	IRRIGATION																	
Water Right	63-199B	N	DAVIS, THOMAS; HONSINGER, CHARLES L; NAMPA & MERIDIAN IRRIGATION DISTRICT	MORES CREEK	IRRIGATION																	
Water Right	63-200A	N	BARKER ROSHOLT & SIMPSON LLP; BOISE PROJECT BOARD OF CONTROL; GIVENS, RAYMOND D; NAMPA-MERIDIAN	BOISE RIVER	IRRIGATION																	
Water Right	63-200B	N	DAVIS, THOMAS; HONSINGER, CHARLES L; NAMPA & MERIDIAN IRRIGATION DISTRICT	BOISE RIVER	IRRIGATION																	
Water Right	63-200B	N	DAVIS, THOMAS; HONSINGER, CHARLES L; NAMPA & MERIDIAN IRRIGATION DISTRICT	MORES CREEK	IRRIGATION																	
Water Right	63-2080	N	CAMPBELL, SCOTT L; SETTLERS IRRIGATION DISTRICT	UNNAMED STRAM	IRRIGATION																	
Water Right	63-2106	N	UNITED STATES OF AMERICA ACTING THROUGH	FIVE MILE CREEK	IRRIGATION																	
Water Right	63-2109	N	UNITED STATES OF AMERICA ACTING THROUGH	MAISON CREEK	IRRIGATION																	
Water Right	63-21699	N	ELLIS, KENNETH C; ELLIS, THERESA L	GROUND WATER	DOMESTIC																	

surface H₂O

BOR

[illegible]

[illegible]

Idaho Department of Water Resources Receipt

Receipt ID: W045143

Payment Amount \$75.00 Date Received 4/7/2017 10:59 AM Region WESTERN
Payment Type Cash
Payer SEVENTH DAY ADVENTIST CHURCH
Comments 63-10719 LICENSE EXAM FEE FOR SEVENTH DAY ADVENTIST CHURCH

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	LIC EXAM FEE	62104	0229	21		1155



Signature Line (Department Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2017

Seventh Day Adventist Church
David Loewenstein
1115 North Cloverdale
Boise, ID 83704

COPY

RE: Water Permit 63-10719

Dear Mr. Loewenstein:

On April 11, 1989 Idaho Department of Water Resources (IDWR) issued permit 63-10719 authorizing the church to divert 0.18 cfs of water from groundwater, within the SE ¼ NE ¼ of Section 9, Township 03 North, Range 01 East, B.M., for domestic use and irrigation of 7 acres of land in Ada County. Under the terms of the permit, the development was to be completed by May 1, 1990. On June 6, 1990, IDWR received your Proof of Beneficial Use statement indicating the church had completed development and put the water to beneficial use. When the Proof of Beneficial Use was submitted, there was no fee collected because the form indicated that domestic use was the only beneficial use developed. Therefore, no fee was necessary.

In order to verify the developed beneficial use, Department staff conducted a field exam on June 4, 1993. During the exam, it was determined that irrigation water was used only as a backup or when ditch water was not available. The Department refers to this as supplemental use. The exam also noted domestic use provided water to the church.

Because water has been and continues to be used for irrigation, the Department asks that the Seventh Day Adventist Church pay the appropriate fee of \$75 (\$50 exam fee + \$25 late payment penalty) relative to the permitted diversion rate of 0.18 cfs. This will allow the Department to recommend the domestic and irrigation use of the permit to licensing. The irrigation use will be recommended as supplementary to any surface water rights the church holds. **Please submit a check for \$75 made payable to the Idaho Department of Water Resources within the next thirty (30) days. If no fee is received by May 1, 2017, only the domestic use will be forwarded to licensing.**

Please contact me at (208) 334-2190 if you need more information. Thank you for your attention to this matter.

Respectfully,

Aaron Skinner
Water Resource Agent
Email: aaron.skinner@idwr.idaho.gov

Enclosures: Proof Report
Copy of the Beneficial Use form