

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 78-7377

Exam Date: 6/5/2015

1. Current Owner: Whitney Ranch Lot Owners Assn Inc
3380 Big Creek Rd
New Meadows, ID 83654
2. Accompanied by: Ed Raney
Phone No: 208-347-2228
Address: 3498 Raney Rd New Meadows ID
Relationship to Permit Holder: Water Master

3. SOURCE

Big Creek

TRIBUTARY

Little Salmon River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Irrigation & Stockwater rights overlap, not pertinent to permit.
2. Other water rights with the same point of diversion: 78-12381, 78-12383, 78-12385, 78-12387, 78-12380, 78-12382, 78-12384, & 78-12386.

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

BIG CREEK SE ¼ NW ¼ Sec. 5, Twp 18N, Rge 02E, B.M. ADAMS County

Method of Determination: GPS coordinates.

2.

PLACE OF USE:**RECREATION STORAGE**

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	5									X		X	X					

PLACE OF USE:**FIRE PROTECTION STORAGE**

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	5									X		X	X					

PLACE OF USE:**FIRE PROTECTION FROM STORAGE**

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	5		X	X		X	X	X	X	X	X	X	X		X	X		
				L 2				L 3	L 4										
18N	02E	7	X	X	X	X									X	X	X	X	
18N	02E	8		X	X		X	X	X	X	X	X	X	X		X	X		
18N	02E	17					X	X											
18N	02E	18	X																
19N	02E	32															X		

Method of Determination: ArcMap tools identify the PLSS described by boundaries of the Whitney Ranch Sub.

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
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*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Open Channel	Flow Tracker Handheld-ADV	SonTek		P4553		

2. Measurements: Taken in ditch during delivery of water.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method: Open channel flow meter.

Water profile: 3.07 ft²

Mean velocity: 0.5447 ft

Flow rate = Area * Velocity = 3.07 * 0.5447 = 1.67 cfs

See attached flow measurement sheet.

Measurement = 1.67 cfs

Permit allowed = 0.20 cfs

License recommend for 0.20 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

1. Volume Calculations for Other Uses:

Total volume including seepage and evaporation totals 53.9 af.
See pond spreadsheet for details. (attached)

G. NARRATIVE/REMARKS/COMMENTS

The field exam was completed by Agent Patrick Kelly on June 5, 2015. And was accompanied by Ed Raney, Watermaster for Basin 78A.

POD comes from a ditch headgate out of Big Creek. Overlap review found several water rights (identified in Sec. B of this report) that share the ditch. Place of Use overlap found several irrigation and stockwater rights that are not pertinent to 78-7377.

A measurement of water in the ditch was taken below the diversion headgate and above any releases on the ditch system. A SonTek FlowTracker measuring device was used to quantify the flow of water in the ditch. The Discharge Measurement Summary obtained from the FlowTracker did not include a discharge in cfs. To gain this information, the mean velocity was multiplied by the stream profile, giving a total flow rate of 1.67 cfs. There are rights on the ditch with a higher diversion rate than this. However, there is a headgate on the inlet to the pond so the watermaster can control how much and when water is delivered. Because of this control, there is no concern of the pond affecting the delivery to other rights.

There are measuring and lockable control device conditions on the permit. A lockable control is available on the headgate, but there is no measuring device on the inlet. Because of this, a waiver request was received from Ed Raney to remove such requirements from the license. The application for permit was protested by the Idaho Department of Fish and Game. The protest was later withdrawn given the applicant agree to reduce the diversion rate from 1.0 cfs to 0.2 cfs, as well as to only divert during the early season. This was agreed upon and thus the permit was issued for 0.2 cfs and a diversion to storage season of 04/01 to 06/30. Because the protest was not a concern of the lockable control and measuring devices, further contact from an interested party is not a concern and I am recommending that modified condition be place on the license should the watermaster deem them appropriate in the future.

On July 9, 2012 Agent Kelly Christensen visited with design engineer James Frank to discuss shape of the pond. It was discovered that the pond has some inconsistent slopes excavated to a depths that range between 6 to 15 ft. Wildlife islands are included on the east side of the pond. This slope shape makes it especially difficult to quantify a specific volume. Still, using Mr. Christensen's estimates of 33.6 af and 50.4 af given different factors, neither included seepage and evaporation data.

Volumes were calculated using the department's pond analysis spreadsheet. Using an average depth of 5.5 ft, a capacity of 44.1 af is found. Seepage and evaporation analysis included only data from the diverting season of 4/1 to 6/30. These consumptive losses total 5.8 af. These numbers are reasonable measurements of the pond, and allows the user to make the most beneficial use under this water right.

A January 7, 2003 letter from IDWR's Dam Safety Section concluded that the dam was too small and is excluded from IDWR's regulation. For this reason, condition R40 which is used on storage rights statewide for dams ≥ 10 ft. in height or for reservoirs ≥ 50 af will not be included on the license.

A fee of \$50 (C042204) was collected on the 5/4/1998 proof of beneficial use form. The fee schedule at this time required a fifty dollar fee for diversion rates up to 0.20 cfs, and one hundred dollars for a volume between 20-100 af. The permit owner must then submit an additional fifty dollars that will be requested with his licensing amendment.

Have conditions of permit approval been met? ☒ X Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		50.00 AF
DIVERSION TO STORAGE	04/01 to 06/30	0.200 CFS	
FIRE PROTECTION FROM STORAGE	01/01 to 12/31		50.00 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		50.00 AF
	<u>Totals:</u>	0.200 CFS	50.00 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Patrick Kelly Date 6-15-2016

Reviewer _____ Date _____

Seepage Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total annual seepage losses from a pond.

FILE NUMBER	78-7377
REVIEWER	Patrick Kelly
DATE	6/8/2015

User Input
Calculated value
Formula Explanations

INPUTS

Pond Surface Area (AC.)	8.01	AC.
-------------------------	------	-----

Pond Surface Area (SQ. FT.)	348916	SQ. FT.
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My Soil Classification is	CL	
Suggested Seepage Rate (FT./DAY)	0.0030	FT./DAY

Formula: (Surface Area X Seepage Rate) X 7.48 = Gallons Per Day Loss
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Convert to GPD	7830	GPD
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Total Seepage Loss (4/1 to 6/30)	2.2	AF
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Though sand and gravel seepage rates may actually be higher, the maximum allowable rate is 0.2 ft/day, pursuant to Administrative Memo "Seepage Loss Standards for Ponds and Reservoirs."

Suggested Seepage Rates for Different Soil Types:

GW, GP, GM, GC, SW, SP and SM (silty sand, sand silt mixtures and gravel mixtures) = 0.2 ft per day

OL and ML (inorganic silts - very fine sands, silty, or clayey fine sands) = 0.02 ft per day

SC (clayey sands, sand clay mixtures) = 0.007 ft per day

CL (Low to medium plasticity clays) = 0.003 ft per day

MH, OH, PT and CH (high plasticity clays) = 0.0003 ft per day

LINED PONDS (liners can be chemical, fabric, or bentonite) = 0 ft per day

Ponds Intercepting Groundwater (excavated ponds filled by ground water) = 0 ft per day

PLEASE NOTE: The initial basis for the Suggested Seepage Rates in the table above is found on Page 16 of Seepage from Fish Ponds, Bulletin 599, August 1989 Alabama Agricultural experiment Station, Auburn University, Auburn University Alabama. If you don't know the soil type, please refer to the map provided at <X:\Spatial\Soils\USCS\PondSoils.lyr>. Use "0" if the pond fill relies on the water table.

Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	78-7377
REVIEWER	Patrick Kelly
DATE	6/8/2015

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:

P = Precipitation
ET = Evapotranspiration
P _d = Precipitation deficit
P _d = ET - P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at <X:/Spatial/Climate/ETIdahostations.shp>.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

Precipitation Deficit

Station: New Meadows Ranger Stn (NWS - 106388)

Month	mm/day ¹	Days per month	mm/Month
Jan	0.00	31	0.00
Feb	0.00	28	0.00
March	0.00	31	0.00
April	0.67	30	20.10
May	1.68	31	52.08
June	2.21	30	66.30
July	0.00	31	0.00
August	0.00	31	0.00
September	0.00	30	0.00
October	0.00	31	0.00
November	0.00	30	0.00
December	0.00	31	0.00

Total mm/year = 138.48

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS - 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

$$\left(\frac{138.48}{304.8} \right) \times 8.01 = 3.7 \text{ AFA}$$

Total Storage Calculations

FILE NUMBER	78-7377
REVIEWER	Patrick Kelly
DATE	6/8/2015

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	8.0	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	5.5	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	44.1	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: If a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	2.2	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	3.7	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	50.0	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	0.20	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	2.21	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.06	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.03	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	132	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. <i>If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.</i>
Days Required to Fill the Pond at 13,000 Gallons per Day	-1823	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. <i>If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.</i> Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

AUG 17 2015

WATER RESOURCES
WESTERN REGION

Dear Mr. Kelly,

I am the Water Master of 78A (permit 78-7379). I waive the conditions of the right holder to install a measuring device and lockable controlling works or any requirement to install any measuring device or control. Any questions of me regarding this matter should be in writing and a copy to William Fairfield.


Edgar Raney, Water Master

Discharge Measurement Summary

Date Generated: Tue Jun 9 2015

File Information

File Name: BEGIN.WAD
Start Date and Time: 2015/06/05 09:58:07

Site Details

Site Name: 1
Operator(s): PK

System Information

Sensor Type: FlowTracker
Serial #: P4553
CPU Firmware Version: 3.7
Software Ver: 2.30
Mounting Correction: 0.0%

Units (English Units)

Distance: ft
Velocity: ft/s
Area: ft^2
Discharge: cfs

Summary

Averaging Int.: 40 # Stations: 14
Mean SNR: 33.1 dB Mean Velocity Vx: 0.5447
Mean Temp: 55.19 °F Mean Velocity Vy: 0.0766

Measurement Results

St	Loc1	Loc2	Depth	MeasD	Clock	Npts	Spike	VelX	VelY	VelZ	SNR1	SNR2	SNR3	VxErr	VyErr	VzErr	Bnd	Temp
1	1.00	0.00	0.000	0.000	09:58	40	0	-0.3547	-0.0771	0.0000	-0.4	0.0	0.0	0.7044	0.2041	0.0000	0	54.48
2	1.35	0.00	0.400	0.000	10:04	40	0	0.0020	-0.0007	0.0000	25.3	29.2	0.0	0.0036	0.0016	0.0000	1	54.41
3	1.70	0.00	0.600	0.000	10:06	40	0	0.5623	0.2119	0.0000	17.2	19.3	0.0	0.7884	0.2051	0.0000	0	54.45
4	2.05	0.00	0.700	0.000	10:08	40	1	0.0351	-0.0121	0.0000	42.1	44.7	0.0	0.0079	0.0030	0.0000	2	54.55
5	2.40	0.00	0.700	0.000	10:12	40	0	0.2680	0.0141	0.0000	33.5	34.4	0.0	0.0105	0.0138	0.0000	0	54.70
6	2.75	0.00	0.700	0.000	10:13	40	0	-0.0030	0.0026	0.0000	61.4	61.0	0.0	0.0043	0.0062	0.0000	0	54.77
7	3.10	0.00	0.800	0.000	10:17	40	0	0.9626	-0.0459	0.0000	33.9	36.1	0.0	0.0456	0.0262	0.0000	0	54.95
8	3.45	0.00	0.600	0.000	10:19	40	1	1.4232	-0.1217	0.0000	35.6	36.9	0.0	0.0308	0.0203	0.0000	0	55.06
9	3.80	0.00	0.900	0.000	10:22	40	0	0.6880	-0.0095	0.0000	34.8	35.2	0.0	0.0515	0.0246	0.0000	0	55.31
10	4.15	0.00	1.000	0.000	10:24	40	0	0.2136	0.0541	0.0000	35.6	35.2	0.0	0.0325	0.0240	0.0000	0	55.63
11	4.50	0.00	0.950	0.000	10:27	40	1	0.9016	0.0866	0.0000	35.2	35.2	0.0	0.0377	0.0230	0.0000	0	55.85
12	4.85	0.00	0.750	0.000	10:29	40	1	1.0456	0.2864	0.0000	34.4	35.2	0.0	0.0269	0.0207	0.0000	0	55.94
13	5.20	0.00	0.800	0.000	10:32	40	0	0.9895	0.2949	0.0000	33.9	34.8	0.0	0.0325	0.0207	0.0000	0	56.17
14	5.55	0.00	0.700	0.000	10:32	40	0	0.8914	0.3881	0.0000	33.5	34.8	0.0	0.0338	0.0282	0.0000	0	56.32

Discharge Measurement Summary

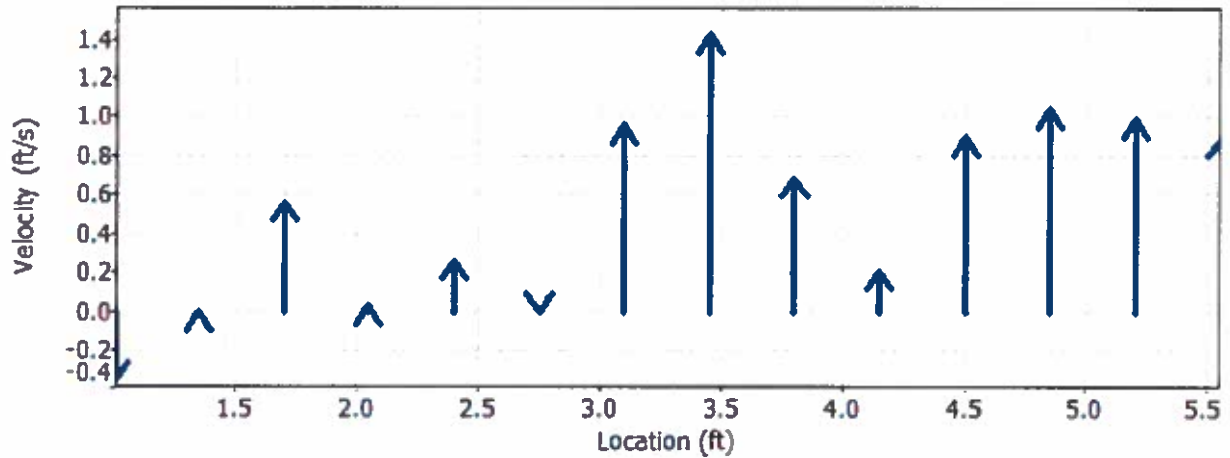
Date Generated: Tue Jun 9 2015

File Information

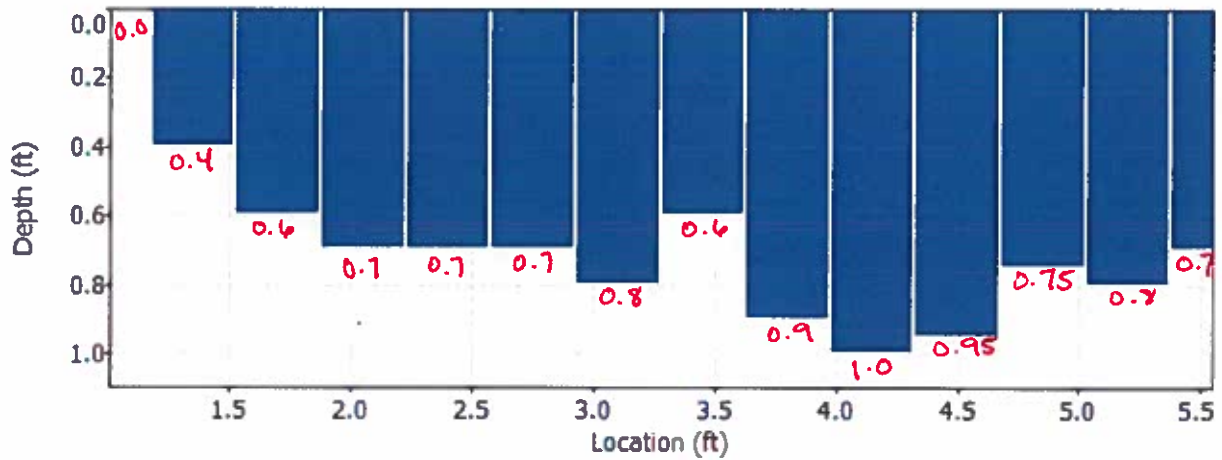
File Name: BEGIN.WAD
Start Date and Time: 2015/06/05 09:58:07

Site Details

Site Name: 1
Operator(s): PK



Each section width = 0.321 ft.



$$\begin{aligned}
 &9.55 \text{ ft} \\
 &\times 0.321 \text{ ft} \\
 &\hline
 &3.07 \text{ ft}^2
 \end{aligned}$$

Discharge Measurement Summary

Date Generated: Tue Jun 9 2015

File Information

File Name BEGIN.WAD
Start Date and Time 2015/06/05 09:58:07

Site Details

Site Name 1
Operator(s) PK

Quality Control

St	Loc	%Dep	Message
1	1.35	0.0	SNR (27.3) is different from typical SNR (0.0)
		0.0	Boundary QC is Good; possible boundary interference
2	1.70	0.0	High angle: 21
		0.0	SNR (18.3) is different from typical SNR (0.0)
		0.0	High standard error: 0.788
3	2.05	0.0	SNR (43.4) is different from typical SNR (0.0)
		0.0	Boundary QC is Fair; possible boundary interference
4	2.40	0.0	SNR (34.0) is different from typical SNR (0.0)
5	2.75	0.0	SNR (61.2) is different from typical SNR (0.0)
		0.0	High SNR variation during measurement: 9.0,8.6
6	3.10	0.0	SNR (35.0) is different from typical SNR (0.0)
7	3.45	0.0	SNR (36.3) is different from typical SNR (0.0)
8	3.80	0.0	SNR (35.0) is different from typical SNR (0.0)
		0.0	High standard error: 0.052
9	4.15	0.0	SNR (35.4) is different from typical SNR (0.0)
		0.0	High standard error: 0.032
10	4.50	0.0	SNR (35.2) is different from typical SNR (0.0)
11	4.85	0.0	SNR (34.8) is different from typical SNR (0.0)
12	5.20	0.0	SNR (34.4) is different from typical SNR (0.0)

Discharge Measurement Summary

Date Generated: Tue Jun 9 2015

File Information

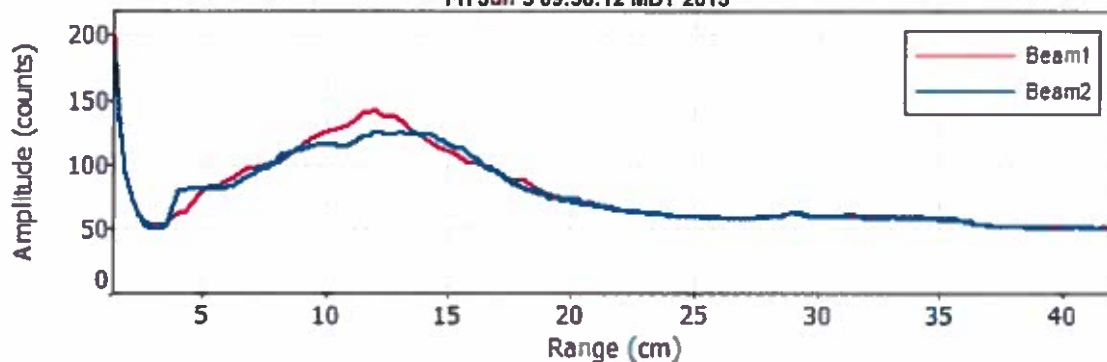
File Name BIGIN.WAD
Start Date and Time 2015/06/05 09:58:07

Site Details

Site Name 1
Operator(s) PK

Automatic Quality Control Test (BeamCheck)

Fri Jun 5 09:56:12 MDT 2015



- ✓ Noise level check - Pass
- ✓ SNR check - Pass
- ✓ Peak location check - Pass
- ✓ Peak shape check - Pass

Collingwood, Rick

From: Bob Elston [robertelston@aol.com]
Sent: Thursday, October 23, 2014 8:08 PM
To: Collingwood, Rick
Cc: Fairfield Bill
Subject: Re: Whitney Ranch Lot Owners, Association - Contact Information

Hello Rick,

Currently I am the president of the Whitney Ranch Lot Owners Association and with the board of directors concurrence, I am authorized to sign legal documents for this association. I coordinate with members of the association on issues that might affect them.

My mailing address is PO box 770, New Meadows, Idaho 83654
Phone 208 347 2009 although email is probably the best way to communicate with me
Bob Elston

Sent from my iPhone

On Oct 23, 2014, at 9:58 AM, Collingwood, Rick <Rick.Collingwood@idwr.idaho.gov> wrote:

Mr. Elston,

This past summer, I completed field exams for two water rights (78-7379 & 78-7380). I coordinated the field exams with Bill Fairfield. He indicated that you would be the contact person in which to send correspondence. If you are the associations contact person, would you please provide your address in which we can send the completed water rights and any additional information. If you are not the contact person for the association, would you please provide me with their name and contact information.

If you have any questions, you can reach my at our office at 334-2190, or by e-mail at rick.collingwood@idwr.idaho.gov.

Thanks for your assistance.

Rick Collingwood, P.E.
Staff Engineer

I'm sorry

It's been a slow process. Your best contact is Robert Elston who is on the Board of the association. His email address is robertelston@aol.com and his phone # is 208-347-2009. BEST!

William D. Fairfield
Law Office of William D. Fairfield
199 Figueroa Street, 3rd Floor
Ventura, CA 93001
Phone (805) 643-6280 ext. 16
Fax (805) 643-1094

From: Collingwood, Rick [<mailto:Rick.Collingwood@idwr.idaho.gov>]
Sent: Thursday, October 23, 2014 9:14 AM
To: William Fairfield
Subject: FW: Whitney Ranch Lot Owners, Assn. - Contact Information

Bill,

I hope your knee surgery went well. I don't mean to keep bugging you, but I still need the name and phone number of the association's contact.

Thanks,

Rick Collingwood, P.E.
Staff Engineer

From: William Fairfield [<mailto:bill@fairfield-law.com>]
Sent: Thursday, July 31, 2014 7:09 AM
To: Collingwood, Rick
Subject: Re: Whitney Ranch Lot Owners, Assn. - Contact Information

I will call you next week .

Sent from my iPhone

On Jul 30, 2014, at 8:21 AM, "Collingwood, Rick" <Rick.Collingwood@idwr.idaho.gov> wrote:

Bill,

You gave me the address, 3380 Big Creek Road, New Meadows, as the address for the Whitney Ranch Lot Owners Association representative. Would you please provide a name and phone number. I need this information for my report.

Thanks,

Rick Collingwood, P.E.
Staff Engineer

Collingwood, Rick

From: Bob Elston [robertelston@aol.com]
Sent: Thursday, October 23, 2014 9:26 PM
To: Collingwood, Rick
Cc: bill@fairfield-law.com
Subject: Fwd: Whitney Ranch Lot Owners, Assn. - Contact Information

As a minor update to Bill's email, the WRLOA does use Big Creek water for irrigation of the association's entry way landscaping.

Bob Elston
President, WRLOA

-----Original Message-----

From: William Fairfield <bill@fairfield-law.com>
To: Collingwood, Rick <Rick.Collingwood@idwr.idaho.gov>
Cc: mjcorreia <mjcorreia@frontiernet.net>; Bob Elston <robertelston@aol.com>
Sent: Thu, Oct 23, 2014 11:33 am
Subject: RE: Whitney Ranch Lot Owners, Assn. - Contact Information

Here's my dilemma. The people who apparently have rights to Big Creek water are the Lot Owners Association starting at the head gate which is in the common area until it "hits" the James property, then the Rosalie Lehmann Trust, then Rohlman, then Lenigan, then Fair-James LLC.

One of your colleagues previously detailed who owns what percentage. I agree that the percentages were right and I do not want to jeopardize those "rights" to those properties because each, with the exception of the Lot Owners Association is using that water.

I'm copying Mike Correia who is the Raney Ranch foreman because both he and Ed Raney carry out the responsibilities of "gate master". I will defer to you, Mike & Ed Raney as to how this should be divied up.

William D. Fairfield
Law Office of William D. Fairfield
199 Figueroa Street, 3rd Floor
Ventura, CA 93001
Phone (805) 643-6280 ext. 16
Fax (805) 643-1094

From: Collingwood, Rick [<mailto:Rick.Collingwood@idwr.idaho.gov>]
Sent: Thursday, October 23, 2014 10:02 AM
To: William Fairfield
Subject: RE: Whitney Ranch Lot Owners, Assn. - Contact Information

Bill,

Thanks. Will Mr. Elston be executing the ownership changes or will you be preparing the two ownership changes? Once we have the ownership changes, we can transfer the water rights from the Johnson & Roehler Trust to the Whitney Ranch Lot Owners, Association.

Rick Collingwood, P.E.
Staff Engineer

From: William Fairfield [<mailto:bill@fairfield-law.com>]
Sent: Thursday, October 23, 2014 10:35 AM
To: Collingwood, Rick
Cc: Bob Elston
Subject: RE: Whitney Ranch Lot Owners, Assn. - Contact Information



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 12, 2014

Law Offices of William D. Fairfield
C/O Bill Fairfield
199 S. Figueroa Street, Third Floor
Ventura, CA 93001

Re: Whitney Ranch Lot Owners Association
Ownership Changes

Dear Bill:

Thanks for the photos and description of the pond outlets to the Raney Ranch property. However, the issue we discussed during my field exams was to have the Whitney Ranch Lot Owners Association complete ownership changes for two water right permits, and the decreed water rights issued to the Johnson & Roehler Trust. Currently, water rights serving the Whitney Ranch development are owned by the Johnson & Roehler Trust. You indicated that assigning the water right permits to the Whitney Ranch Lot Owners Association would not be possible. Therefore, the only option would be to have the association execute ownership changes for each water right and water right permit issued to the Johnson & Roehler Trust. A copy of a 'Notice of Change in Water Right Ownership', including instructions, is enclosed for your use.

Also enclosed are copies of the water right proof reports and aerial photos designating the point of diversion (red dots), and the places of use (cyan boundary) for the Johnson & Roehler Trust and Jeffrey and Erin Rohlman. The Rohlman's information is included due to change of ownership splits completed in 2010, and to provide clarification with regards to the point of diversion and places of use for the Rohlman property. Below is a list of the decreed water rights and water right permits issued to the Johnson & Roehler Trust:

Water Right Permits:

78-7379, 78-7380 (Source - Big Creek)

Decreed Water Rights:

78-2056 (Source - Goose Creek)

78-12380, 78-12382, 78-12384, 78-12386 (Source - Big Creek)

The above listed water right permits and decreed water rights will require an ownership change to be executed to transfer the ownership from the Johnson & Roehler Trust to the Whitney Ranch Lot Owners Association. The enclosed water rights 78-129, 78-130, 78-131, and 78-10226 are 'Parent' rights which were split in 2010 and are no longer active. These 'Parent' rights do not require an ownership change.

I hope this information will help to clarify which water rights and water right permits are associated with the Whitney Ranch Lot Owners Association. If you have any questions, you can contact me at (208) 334-2190, or by e-mail at rick.collingwood@idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Rick Collingwood". The signature is written in a cursive, flowing style with a large loop at the end of the last name.

Rick Collingwood, P.E.
Staff Engineer

LAW OFFICES OF
WILLIAM D. FAIRFIELD
199 S. Figueroa Street, Third Floor
Ventura, CA 93001

RECEIVED

AUG 11 2014

WATER RESOURCES
WESTERN REGION

Telephone (805) 643-6280
Sender's Extension: 16

E-Mail: bill@fairfield-law.com
Facsimile (805) 643-1094

August 7, 2014

Rick Collingwood, P. E.
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: District 78A

Dear Rick:

Ed Raney shared your's of July 30, 2014 with me. For your information, there are three (3) outlets from the storage ponds directly to the Raney Ranch property. I am enclosing photos with descriptions which I hope will be of some value. Personally, I am sorry we did not "tour" those ponds, but a photo is better than words.

Ed also shared Manuel Rauhut June 1, 2005 to Ed's ranch hand, Mike Correia. A copy is enclosed.

I am in complete agreement with the content (and enclosures) of Mr. Rauhut's letter. The tax lot which is referred to (1.6 acres) is a portion of the common area of the Whitney Ranch subdivision which includes the main ditch to the Whitney Ranch properties from the headgate which is also located in the common area of the Whitney Ranch subdivision.

After talking with Ed and with Christy Ward at Timberline Title in Council, the water rights are adjudicated and remain with the land (i.e., those rights cannot be separated from the property involved). I was of the opinion that when the Johnson-Roehler Trust sold lots, the water rights associated with those lots included the water rights as stated in Mr. Rauhut's June 1, 2005 letter. If this is not the case, then I need to know what needs to be done to comply with the regulations of the Department of Water Resources.

Finally, Ed tells me that, if necessary, he will sign a waiver as requested in your letter.

Rick Collingwood, P. E.

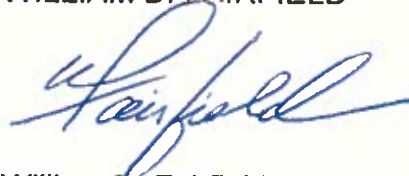
August 7, 2014

Page 2

Thank you for your continuous cooperation with this matter.

Sincerely,

The Law Office of
WILLIAM D. FAIRFIELD

A handwritten signature in blue ink, appearing to read "Fairfield", is written over the printed name.

William D. Fairfield

WDF/kc

cc: Ed Raney

Explanation of Photos

Photos 1 and 2 are located at the north end of the large pond. This outlet drains substantially all of the lake westerly to the Raney Ranch property.

Photos 3 and 4 are an additional outlet approximately 100 yards south of photos 1 and 2 and on the western boundary of the large lake. That drainage tank is on the Whitney Ranch property. The fence line is the boundary between the Whitney Ranch and the Raney Ranch, and all of that water that pours into that tank ends up on the Raney Ranch. The Water Master has complete authority to operate the weir.

Photos 3 and 4 are further south and are located in the small adjacent pond. The fence line is border between the Whitney and Raney Ranches. This is the overflow from the 2 ponds which goes to the Raney Ranch. There is no weir or anything other than the pipe.

Photo 6 is the fence line between the Whitney and Raney Ranches and the direction of any water which flows from this outlet and the other 2 previously mentioned.

Photo 7 shows the 2 ditches that come from the headgate. The closest ditch is the main ditch and the ditch that is highlighted is an offshoot from the main ditch which is controlled by a weir. It is the highlighted ditch that runs water into the ponds. The Water Master has complete authority to open/close the weir

Photo 8 is the continuation of the highlighted ditch at entrance to the larger lake.

Photo 9 is to show the proximity between the western edge of the ponds to the Raney Ranch. The fence line represents the boundary line between the Whitney Ranch and the Raney Ranch.



Photo 1 & 2:

Located at north end of the large pond. This outlet drains substantially all of the lake westerly to the Raney Ranch property.



(Photo 2)



Photo 3 & 4:

An additional outlet approximately 100 yards south of photos 1&2 and on the western boundary of the large lake. That drainage tank is on the Whitney Ranch property. The fence line is the boundary between the Whitney Ranch and the Raney Ranch, and all of that water that pours into that tank ends up on the Raney Ranch. The watermaster has complete authority to operate the weir.



(Photo 4)



Photo 5 is further south and is located in the small adjacent pond. The fence line is border between Whitney and Raney Ranches. This is the overflow from the 2 ponds which goes to the Raney Ranch. There is no weir or anything other than the pipe.



Photo 6 is the fence line between the Whitney and Raney Ranches and the direction of any water which flows from this outlet and the other 2 previously mentioned.



Photo 7 shows the 2 ditches that come from the headgate. The closest ditch is the main ditch and the ditch that is highlighted is an offshoot from the main ditch which is controlled by a weir. It is the highlighted ditch that runs water into the ponds. The water master has complete authority to open/close the weir.



Photo 8 is the continuation of the highlighted ditch entrance to the larger lake.



Photo 9 is to show the proximity between the western edge of the ponds to the Raney Ranch. The fence line represents the boundary line between the Whitney Ranch and the Raney Ranch.

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, June 26, 2012 10:35 AM
To: 'fairfield.donna@gmail.com'
Subject: Permits subject to licensing 78-7377, 78-7379, and 78-7380
Attachments: 78-7377-79=80 Johnson Trust permit summary.docx

All three permits are currently held by Johnson Roehler Trust. It is not clear if that trust is still the owner of the property associated with the various ponds or if another owner should be involved. The intent is to determine the extent of development of the beneficial use for the three permits (ponds) and ultimately issue a license based upon that information.

I have attached a 2 page document showing aerial photography associated with the three permits and a portion of information associated with each permit. As Proof of Beneficial Use was submitted in the 1998 to 2000 time I can send you additional information relating those permits or you can look them up through our web site at <http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp> At this point it is my intent to start a dialogue regarding the permits, not finalize a position.

The pond associated with permit 78-7377 appears to approach the permitted pond volume. At this time, no data is available to the department to determine the average depth of that pond. The permitted place of use (POU) was only for the NESW of sec 5. Based upon the aerial photo the pond was actually developed in the NESW, SESW, and possibly SWSW of sec 5. Ultimately this can be corrected through the licensing process at a later date through an amendment to the permit.

The pond associated with 78-7380 was permitted for 20 af. The only visible pond in Sec 8 SWSW is very small (approximately 0.13 acres surface area). In talking with Ed Raney it appears that the ground was not conducive to developing the pond to the permitted size.

The pond associated with 78-7379 was permitted for 2 af. The closest in time aerial photo associated with the date of submittal of the Proof of Beneficial Use (April 19, 2000) is a 2004 flight. That photo shows a pond with a 0.14 ac surface area. The 2001 aerial photo does not show any evidence of the pond. The status of that pond needs to be determined.

Kelly K Christensen

Sr Water Resource Agent

Western Region

2735 Airport Way

Boise ID 83705

(208) 334-2190

Close-up of the southern portion of the page 1 photo

Twp 18N, Rng 2E, Sec 8

2011 aerial photography

Permits for storage

Rough outline shown in red was based upon the 2004 aerial photo

78-7380

78-7379,



7-9-2012 Conversation memo (office visit)

I met with James Fronk (the engineer that re-designed the reservoir after it failed in the late 1990s. He stated that the west side of the pond was excavated approximately 9 ft and the materials were used to construct a dam with a working height of approximately 6 ft giving a total water depth of 15 ft. The balance of the reservoir was estimated to be approximately 8 ft in depth. As the pond was excavated, a V shaped depth would likely underestimate the actual pond volume. That volume based upon 40% was calculated to be 33.6 af.

Although the excavation would make a more rectangular shaped reservoir (depth wise) the eastern portion of the pond has several small islands constructed for wildlife habitat. Therefore I used a correction factor of 60% which returned a pond volume of 50.4 af.

The permit was filed for a 50 af pond. As the estimations indicate that the physical features could support that pond volume I am recommending the permit volume of **50 af**.

Reservoir surface area based upon ArcMap and the 2009 aerial photo = 7 acres.

depth (ft)	area (ac)	factor (%)	vol (af)	factor (%)	vol (af)
15	4	0.4	24	0.6	36
8	3	0.4	9.6	0.6	14.4
			33.6 (af)		50.4 (af)

Other aerial photos reviewed = 2004, 2006, and 2011.

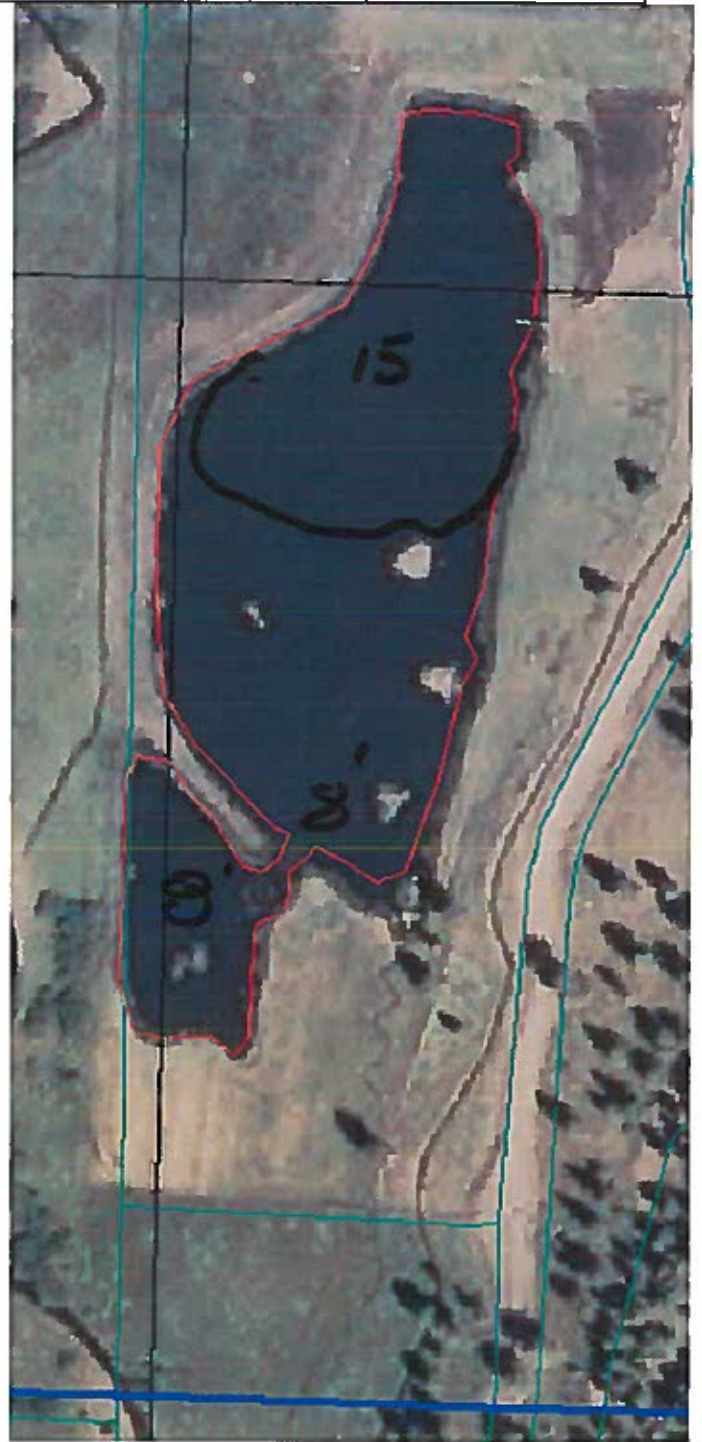
78-7377

Twp 18N Rng 2E sec 5

2011 aerial photo

Tax Lot owner Karl H Lehman Trust.

2009 aerial photo



Sketch by James Frank
7-9-2012