

MEMORANDUM

DATE: September 6, 2016

TO: File 85-15690

FROM: Ashley Newbry, Shelley Keen (Water Rights)

RE: Request to Reinstate Permit 85-15690

On August 5, 2016, IDWR received a "Request to Reinstate a Permit Lapsed More than Sixty Days" with a statement of reasonable cause for filing a late Proof of Beneficial Use for lapsed permit 85-15690 in the name of Tammany View LLC. This submittal also included a Beneficial Use Field Report completed by Terry Scanlan of SPF Engineering.

Beneficial Use Accomplished

The field examiner recognized that no homes have been constructed to date within the Tammany View Phase 3 development. An IDWR administrative memo describes the Departments practice of recognizing beneficial use associated with PUDs (subdivisions) which are not fully developed by the time Proof of Beneficial Use is submitted. It states:

Beneficial use shall be based on development within the service area during the authorized development period of the permit and shall include stubbed-in lots for domestic purposes (i.e. a service line is available for each lot to hook up to the municipal delivery system).

IDWR staff were able to utilize USDA and Google aerial imagery to confirm the installation of the distribution main. Besides mains, IDWR's policy memo requires that the system must already include service stubs to each lot. The field examiner's report includes a photo which pictures a blow off at the end of the dead end line along Powell Road. This photo also shows a post which marks the end of the stub to the lot. Mr. Scanlan mentions that the posts are typical for each lot. In addition, the affidavit of Warren Watts (developer's consulting engineer) states, "I oversaw the construction of the community water system for Tammany View, LLC by its various contractors. [...] Distribution lines were installed and stubbed to all 38 lots in 2008 after IDEQ approved final system plans and specifications."

Well Construction in the Lewiston Plateau GWMA

One of the permit conditions requires compliance with IDWR's well construction standards. The Tammany View Phase 3 development is now located in the Lewiston Plateau Ground Water Management Area (LPGWMA). The LPGWMA was designated in May 2013 and IDWR adopted the Lewiston Plateau Ground Water Management Plan in March 2015. This Plan requires all new wells within the LPGWMA to seek water from the regional aquifer by sealing through the Saddle Mountain Formation, Wanapum Formation, and into the Grande Ronde Formation. Because the Tammany View Phase 3 wells were constructed in 2007, prior to the enactment of the LPGWMA and associated management plan, and the permitted beneficial use was established during the authorized period, the

wells are not be subject to the depth and seal requirements in the Lewiston Plateau Ground Water Management Plan for purposes of evaluating compliance with the permit conditions.

To evaluate compliance with the 2007 well construction requirements, IDWR evaluated copies of drilling logs for each of the two Tammany View Phase 3 supply wells. Chad Hersley, Technical Hydrogeologist (IDWR), reviewed the drilling logs and compared them to the engineer's plans and specifications and to other driller's logs from the area. Given the shallower water bearing strata in other well driller's logs, Chad was surprised that the driller of the Tammany View Phase 3 wells did not encounter water at intervals shallower than 860 feet. He also arrived at some concern when he noticed the deviation between the specified seal material and casing thickness. Despite the deviations, these items would probably not cause IDWR to call for replacement of the casing (or new wells), we wondered if such a difference would affect the developer's ability to establish a public water system (PWS) with DEQ.

Ashley made an inquiry to DEQ, and she was able to set up a telephone conference with Michael Camin, Engineering Manager at DEQ's Lewiston regional office. Shelley Keen sat in on the call, as well. Mr. Camin said that his office had not received copies of the Tammany View Phase 3 drilling logs, but they would also require the results of a valid pump test and a set of as-built drawings for each of the wells. He did not think that the constructed wells' deviation from the engineer's seal and casing specifications would prevent DEQ from allowing the system to become a PWS, as long as IDWR is content with the fashion in which the wells are constructed.