

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-32139
Exam Date: 8/2/2016

1. Current Owner:

TWO RIVERS HOMEOWNERS ASSN INC
664 RIVERSHORE LN STE 152
EAGLE ID 83616

Care of:

Sentry Management
Chrisian Brockl
6149 N Meeker Place, Ste 150
Boise, ID 83713

2. Accompanied by: Christian Brockl

Phone No: 208-323-1080

Address: 6149 N Meeker Place, Ste 150

Boise, ID 83713

Relationship to Permit Holder: Community Association Manager for Two Rivers HOA

3. SOURCE:

GROUND WATER

TRIBUTARY:

BOISE RIVER

B. OVERLAP REVIEW

- Other water rights with the same place of use: 63-194 (TR Co – Two Rivers), 63-33067 & 63-33069 & 63-382B (Mace Catlin Ditch Co), Many rights (United Water/Suez),
- Other water rights with the same point-of-diversion: none

C. DIVERSION AND DELIVERY SYSTEM1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L8 (SE¼NE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L8 (NE¼SE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L8 (NE¼SE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L8 (NE¼SE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L7 (NW¼SE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L7 (NW¼SE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L6 (NE¼SW¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L6 (NE¼SW¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L6 (NE¼SW¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER SE¼SW¼ Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L7 (NW¼SE¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER SW¼SE¼ Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER SW¼SE¼ Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER SW¼SE¼ Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER L6 (SE¼NW¼) Sec. 17, Twp 04N, Rge 01E, B.M. ADA County
GROUND WATER SE¼SE¼ Sec. 17, Twp 04N, Rge 01E, B.M. ADA County

Method of Determination: Aerial Imagery/ArcGIS, Visual Observation

2. PLACE OF USE: AESTHETIC 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	
04N	01E	17			X L 7	X L 8				X L 6	X L 6			X	X L 8	X L 7	X	X	

Method of Determination: Aerial Imagery/ArcGIS, Visual Observation

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.

x 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

x 1:24,000 or greater.x Aerial Photo Attached (required for irrigation of 10+ acres).x Photo of Diversion and System Attached4. Diversion Capacity – Not applicable for this permit

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Ponds intercept Groundwater	x	x	x	x	x

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
None	x	x	x	x	x	x

2. Measurements: Measurement of groundwater inflow into pond would not be feasible for the purposes of this field exam.

E. FLOW CALCULATIONSMeasured Method: Not applicable Additional Computation Sheets Attached
 Additional Computation Sheets Attached**F. VOLUME CALCULATIONS** X Additional Computation Sheets Attached1. Volume Calculations for Irrigation: Not applicable

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

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{N/A}$$

2. Volume Calculations for Other Uses: **Aesthetic Storage**

$$[\text{Total Pond Surface area: 35 Acres}] \times [\text{Average Pond depth: 8 feet}] = 280 \text{ AF}$$

$$\text{Mitigation volume: Permit: } 38.0 \text{ acres} \times 2.95 \text{ AF/acre} = 112.1 \text{ AF}$$

$$\text{License: } 35.0 \text{ acres} \times 2.95 \text{ AF/acre} = 103.3 \text{ AF}$$

G. NARRATIVE/REMARKS/COMMENTS

At 9:00 AM on August 2, 2016 I met Christian Brockl of Sentry Management (representing business interests for Two Rivers HOA) at the Two Rivers Subdivision Clubhouse off of W. Island Woods Drive in Eagle, ID.

After introductions, we walked to a location south of the clubhouse to view the irrigation pump station, equipped with two visible filters and one subsurface filter. The system was powered on and running

at the time of the field exam. The irrigation pump system draws water from the mostly interconnected pond system. He explained that the historic Mace Catlin Ditch is now mostly piped underground. Essentially, it is their delivery conduit for irrigation water from the Boise River (WR 63-194).

After viewing the pumping and filtration system, we walked to a delivery pipe at the northeast corner of the clubhouse pond. This pipe introduces the Boise River water to the interconnected pond system.

After this, Mr. Brockl drove me across Eagle Road to Island Woods subdivision. We entered a homeowner's back yard (within irrigation easement) to view and photograph the headgate to the piped Mace-Catlin Ditch. The headgate that we viewed represents ONLY the Two Rivers irrigation/aesthetic storage water from the Boise River (WR 63-194). Christian also opened the "weir vault" utilized by the Dist 63 watermaster to determine the flow being delivered to Two Rivers. The large concrete vault was equipped with a staff gauge and a space for stop-logs.

Finally, we returned to the Two Rivers clubhouse and Mr. Brockl departed to his office. He agreed that I could drive the subdivision independently to take additional photos of the ponds.

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

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		280.0 AF
<u>Totals:</u>			280.00 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 ☒ None

I. AUTHENTICATION

Ashley Newbry, PE

Field Examiner's Name

Ashley Newbry

Date

9/1/2016

Reviewer

Date

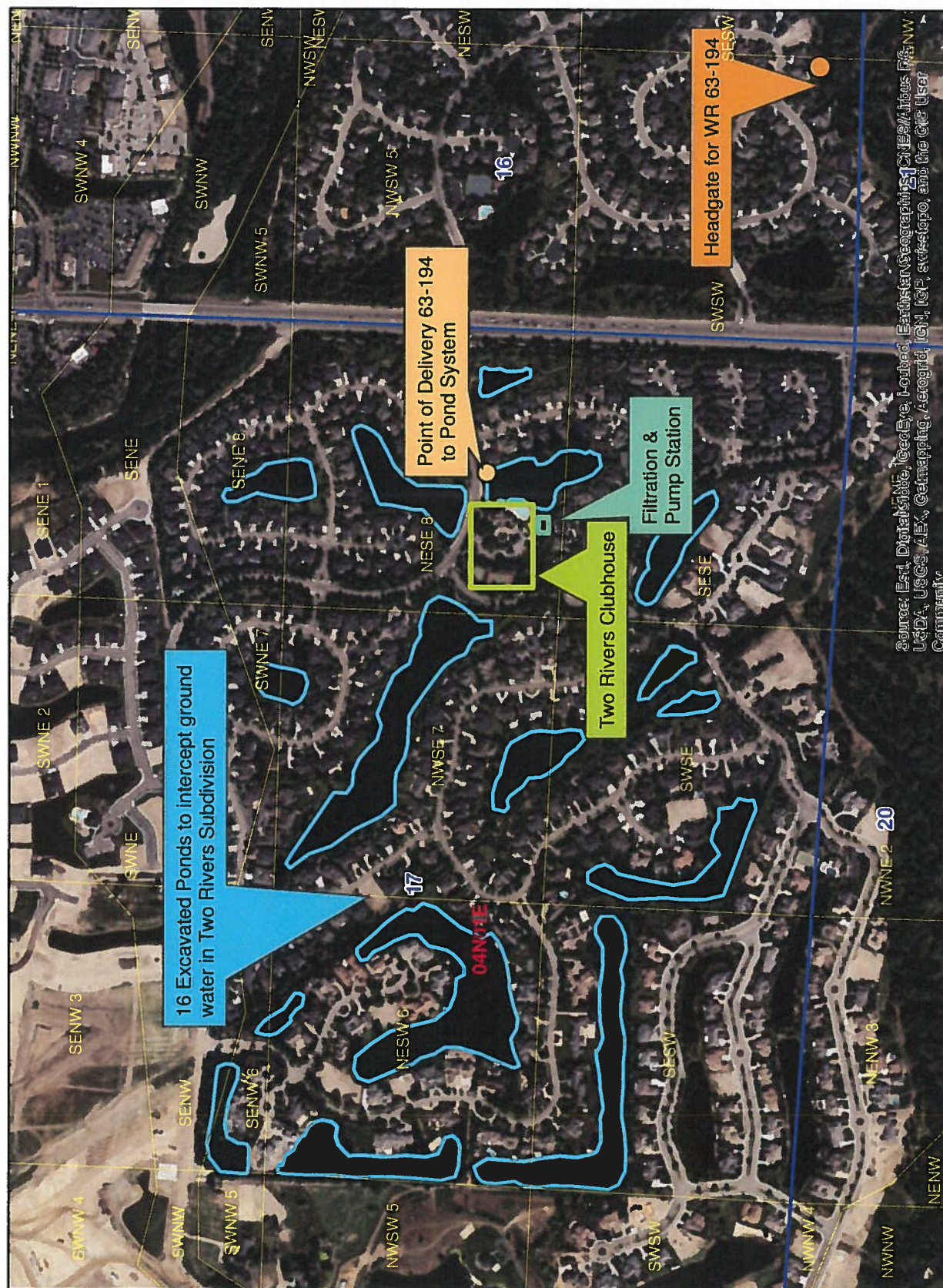
SENTRY
management®

COMMUNITY
ASSOCIATION
MANAGEMENT

Christian Bröckl, CIACA®
Community Association Manager
P. 208.323.1080 Ext 59509
F. 208.853.1960

CBROCKL@SENTRYMGT.COM

BOISE.SENTRYMGT.COM



PHOTOGRAPHER AND DATE: ASHLEY NEWBRY • August 8, 2016 • WR FILE: 63-32139



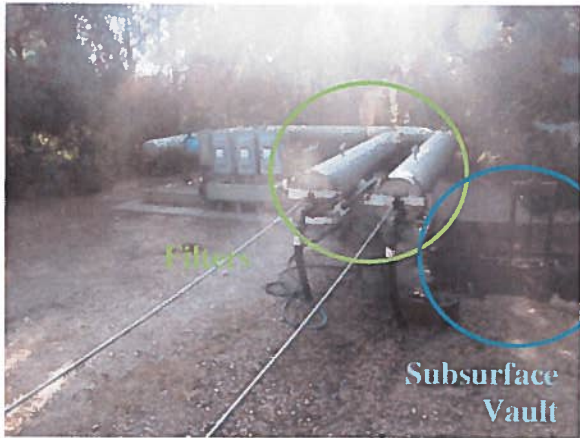
The headgate (left) for water associated with 63-194 enters the buried Mace-Catlin ditch at a location on the Boise River within Island Woods Subdivision. A "weir vault" (right) has been installed immediately following the headgate.



The vault contains a staff gauge (left) for the Dist 63 watermaster to determine the flow delivered to Two Rivers Subdivision. Crossing Eagle Road westward, the surface water is introduced into Two Rivers' clubhouse pond (right).



From the clubhouse pond (left), the water can flow to subsequent ponds within the subdivision (connections are piped beneath surface). In addition, the clubhouse pond is the intake for pressurized irrigation to the subdivision (right).



The irrigation pump system (right) utilizes surface water filters and a subsurface vault (left) to clean and pressurize surface water for irrigation.



The pressurized irrigation system was on and running at the time of the field exam (left). Ground water filled ponds are located at 16 locations throughout Two Rivers Subdivision (right).



Ground water filled ponds are located at 16 locations throughout Two Rivers Subdivision (left and right).

Newbry, Ashley

From: Norm Semanko [nms@moffatt.com]
Sent: Tuesday, August 02, 2016 6:12 PM
To: Newbry, Ashley
Cc: Rushing, Emalee; Leni Patton
Subject: Re: Water Permit 63-32139 for Two Rivers HOA

Ashley,

I apologize for the delay in responding to your email message. Yes, we would still like to proceed with licensing of the water right. Please let us know what we can do to be of assistance. Thank you.

Regards,

Norman M. Semanko
Moffatt Thomas

From: Newbry, Ashley
Sent: Tuesday, July 19, 2016 12:16 PM
To: Norm Semanko
Cc: Rushing, Emalee; Leni Patton
Subject: Water Permit 63-32139 for Two Rivers HOA

Dear Mr. Semanko,

I believe that you and your paralegal, Leni, were recently in contact with Brian Ragan of our Department last November 2015 regarding the licensing of Water Permit 63-32139. You may have also been in contact with Emalee Rushing regarding the ownership of right 63-194 (T R Co LLC).

Since that time, Brian has assumed other responsibilities in our Department, and I will be taking over the licensing of Water Permit 63-32139. Based on the correspondence I have read thus far, your client is concerned about ownership of right 63-194; Leni has been working to gather all of the necessary documentation to proceed with a Water Right Change of Ownership process.

At the same time, it is in the interest of Two Rivers HOA to allow the Department to proceed with the water right licensing process of Permit 63-32139. Permit 63-32139 is already in the name of Two Rivers HOA, and I would soon like to take an opportunity to contact the HOA's representative to schedule a field examination.

I am writing to confirm that your clients are not opposed to this, and convey my thought that both processes can operate concurrently. Please respond by July 25, 2016; I would like to proceed with the process necessary to issue a water right license to Two Rivers HOA.

Thank you,

Ashley Newbry, PE | Staff Engineer
Idaho Department of Water Resources

State Office | 322 E. Front Street | PO Box 83720
Boise, ID 83720-0098
208.287.4800

*As a reminder, it is Right 63-194 provides water from the Boise River, delivered via the Thomas Aiken ditch, to the ponds, including water added to cover evaporation loss. Permit 63-32139 allows for the groundwater which naturally seeps into the excavated ponds year round.

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Newbry, Ashley

From: Newbry, Ashley
Sent: Tuesday, July 19, 2016 12:16 PM
To: 'nms@moffatt.com'
Cc: Rushing, Emalee; 'lps@moffatt.com'
Subject: Water Permit 63-32139 for Two Rivers HOA

Dear Mr. Semanko,

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No Response
8-1-2016
A Newbry

Ragan, Brian

From: Ragan, Brian
Sent: Thursday, November 05, 2015 11:24 AM
To: 'Leni Patton'
Cc: Norm Semanko
Subject: RE: Assignment of Permit: Two Rivers 63-32139 [MT-C.FID612023]

Ms. Patton,

The fee is \$25 per form submitted. You may, however, submit a written request for a reduced fee structure. Your request will be evaluated but I cannot guarantee what IDWR's response will be.

Brian Ragan
IDWR Water Compliance Bureau
(208) 287-4934

From: Leni Patton [<mailto:LPS@moffatt.com>]
Sent: Thursday, November 05, 2015 11:15 AM
To: Ragan, Brian
Cc: Norm Semanko
Subject: RE: Assignment of Permit: Two Rivers 63-32139 [MT-C.FID612023]

Hi Brian!

Thanks for taking the time with me today. I'm curious...we were able to pay one \$100 fee for the Change of Ownership for all of the individual owners on 63-194, if submitted all at once. Couldn't we just do that with the Assignment of Permit? It is all for the same permit, just being cut into little pieces for the individual lot owners, just like 63-194. Please advise. Thanks!

Kind regards,

LENI PATTON
Paralegal

Direct 208 385 5464
Main 208 345 2000
Fax 208 385 5384
LPS@moffatt.com
<http://www.moffatt.com>

Mailing Address:
P.O. Box 829
Boise, ID 83701-0829

Physical Address:
101 S. Capitol Blvd., 10th Floor
Boise, ID 83702-7710

From: Ragan, Brian [<mailto:Brian.Ragan@idwr.idaho.gov>]
Sent: Thursday, November 05, 2015 10:06 AM
To: Leni Patton
Subject: Assignment of Permit: Two Rivers 63-32139

Ms. Patton,

Here is the link to the "Assignment of Permit" form required for each resident or entity Two Rivers intends to assign part of water permit 63-32139 to: <http://idwr.idaho.gov/files/water-rights/assignment-of-permit.pdf>

Note there is a \$25 fee for each form submitted.

Please also submit proof that the signatory on the form has the authority to sign on behalf of Two Rivers Homeowner's Association. One method is to submit the most recent Annual Report form shown on the Idaho Secretary of State business entity search page: <http://www.accessidaho.org/public/sos/corp/search.html>

Please let me know if you have any questions.

Regards,
Brian

Brian W. Ragan, P.G.
Idaho Department of Water Resources
322 East Front St., PO Box 83720
Boise, ID 83720-0098

Ph: (208) 287-4934
Fax: (208) 287-6700

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Memo to File
Water Permit 63-32139

From: Brian Ragan
Date: 11/5/2015

In response to my email to Norman Semanko (legal representation for Two Rivers Homeowner's Association) dated November 3, 2015, I received a voice message from Leni Patton (Moffatt Thomas Law Legal Assistant) indicating their preference would be to take care of the assignment of permit before the license is issued for water permit 63-32139.

Unfortunately, 63-194 is not a permit, so one or more ownership changes will be necessary. Some private lots include portions of the community ponds. AZN 7/8/14

Ragan, Brian

From: Norm Semanko [nms@moffatt.com]
Sent: Tuesday, November 03, 2015 11:36 AM
To: Ragan, Brian
Subject: Re: Two Rivers Homeowner's Association: Water Right 63-194

Mr. Ragan,

Let me check with the client and see what their preference is. Thank you.

Regards,

Norman M. Semanko
Moffatt Thomas

From: Ragan, Brian
Sent: Tuesday, November 3, 2015 8:46 AM
To: Norm Semanko
Subject: Two Rivers Homeowner's Association: Water Right 63-194

Mr. Semanko,

It appears you are representing Two Rivers Homeowner's Association in the change of ownership process for water right number 63-194.

IDWR is preparing to start the licensing process for water right permit number 63-32139. This permit requires evaporation losses from the aesthetic ponds described by the storage component of this permit to be addressed by the storage component from water right 63-194.

It appears that the ownership issues being encountered with water right 63-194 may also affect water right permit 63-32139, and we felt it would be beneficial to determine how Two Rivers Homeowner's Association would like to proceed with the ownership questions that may arise in the licensing process for water right permit 63-32139.

Here are a few possible options:

Option 1: Have Two Rivers take care of the Assignment of Permit before the license is issued for water permit 63-32139.

Option 2: Handle the Change of Ownerships after the license is issued for water permit 63-32139.

Regards,
Brian

Brian W. Ragan, P.G.
Idaho Department of Water Resources
322 East Front St., PO Box 83720
Boise, ID 83720-0098

Ragan, Brian

From: Rex Barrie [waterdistrict63@qwestoffice.net]
Sent: Thursday, October 29, 2015 7:30 AM
To: Ragan, Brian
Subject: RE: info request

Brian,

Two Rivers HOA divert water from the Boise River via the Thomas Aiken Ditch.
According to my record they are entitled to divert 3.35 cfs at 100% of their water right.

They are subject to the Stewart Decree cuts as natural flow drops in the basin.

Delivery for:

2005	930 AF
2006	236 AF
2007	223.1
2008	507.8
2009	791.8

Two Rivers has been leasing water from the "Rental Pool" to allow them to divert above their right when natural flows drop.

Let me know if you need any more information.

Rex R. Barrie
Boise River Watermaster

From: Ragan, Brian [<mailto:Brian.Ragan@idwr.idaho.gov>]
Sent: Wednesday, October 28, 2015 3:50 PM
To: WATERDISTRICT63@QWESTOFFICE.NET
Subject: info request

Mr. Barrie,

My name is Brian Ragan and I work in the Water Distribution section at IDWR. I am preparing my files for some water right licensing exams in your district and Dan Nelson (IDWR water right agent) recommended I email you and request some information.

I've attached a location map for the water permit number 63-32139 under the name of Two Rivers Homeowners Association Inc. (formerly T.R. Company LLC). The water usage is for aesthetic storage in 16 ponds shown on the map. I believe they also divert out of the ponds for irrigation.

My questions for you are:

1. How much water have you delivered to Two Rivers from 2005 through 2009?
2. What control structures are present that are used to regulate their flows?

Please let me know if you need more information.