

Franklin, Keith

From: Marty Taylor [mtaylor@jasewell.com]
Sent: Monday, October 20, 2008 10:32 AM
To: Franklin, Keith; Nan Coover (Teton Management) (E-mail)
Subject: RE: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Keith:

We'll get you the \$50. Because I asked the question 8/15/08 regarding an amendment filing fee and never received a response, I'm hoping that you can at least start the process while the fee is in transit. I'm hoping to let loose too much time.

Thanks.

Marty

Nan:

Please send a \$50 check payable to the Idaho Dept. of Water Resources. Below is the address.

Thanks.

Marty

Keith E. Franklin, Senior Water Resources Agent

Idaho Department of Water Resources - Northern Region

7600 Mineral Drive, Suite 100

Coeur d'Alene, Idaho 83815

SUBJECT: Beyond Hope II, LLC - Application for Amendment of a Permit

Martin E. Taylor, AICP

Member -- *American Institute of Certified Planners*

Land Use Planning, Design and Entitlements

Wetland Delineations

Project Management

James A. Sewell & Associates, LLC

Consulting Engineers, Surveyors and Land Use Planners

1205 Highway 2, Suite 101

Sandpoint, Idaho 83864

Office: 208-263-4160

Fax: 208-263-5229

Cell: 208-610-0465

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

From: Franklin, Keith [mailto:Keith.Franklin@idwr.idaho.gov]

Sent: Wednesday, October 15, 2008 2:01 PM

To: Marty Taylor

10/24/2008

Subject: RE: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Marty,

The department has received the requests for Beyond Hope. The filing fee to amend permit #96-7092 is \$50.00. Please send us the fee at your earliest convenience so we can get started on the processing. Keith.

From: Marty Taylor [mailto:mtaylor@jasewell.com]

Sent: Tuesday, September 23, 2008 2:16 PM

To: Franklin, Keith

Cc: Haynes, Bob

Subject: FW: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Hello again, Keith:

Please advise if you intend to assist by taking a look at the attached drafts, submitted to you 8/15/08. Like we discussed, you've been very helpful in the past and I was hoping to complete the paperwork correctly in order to expedite your reviews.

I copied Bob because I understand you're out of the office.

Thanks.

Marty

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

From: Marty Taylor

Sent: Friday, September 05, 2008 8:39 AM

To: IDWR (Keith Franklin) (E-mail)

Subject: FW: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Hi Keith:

I was hoping you could take a moment and spot check the attached. It's been three weeks. If you don't have the time, perhaps you could say so and I'll do my best and file what I have. I need to get this paperwork filed. I was hoping to avoid the back and forth revisions and file the paperwork correctly the first time, with your assistance.

Let me know please how I should proceed.

Call me if you like, if that's faster for you.

Thanks.

Marty

Martin E. Taylor, AICP

10/24/2008

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

From: Marty Taylor
Sent: Wednesday, August 20, 2008 3:54 PM
To: IDWR (Keith Franklin) (E-mail)
Subject: FW: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Hi Keith:
Any luck taking a peek at these?
I appreciate your assistance.
Marty
P.S. I found the Articles of Organization filed with the sec of state. See attached .TIFF.

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

From: Marty Taylor
Sent: Friday, August 15, 2008 3:08 PM
To: 'Franklin, Keith'
Subject: RE: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Thanks, Keith.

Please see comments below. I have attached a second draft. Can I bother you to do a quick run through? That should do it.

There has also been a change of ownership. I have attached that form. Looks pretty basic. Please take a look. I see the fee is \$25.

Lastly, a second well needs to be drilled next to the 1972 well. Attached is a water right amendment application. I filled in "D", not "M", based on prior water rights applications wherein you informed me that M means for a city only. I just want to make sure that D is correct, even though the amount requested is 0.45 cfs. I thought I couldn't call this "domestic" because the cfs exceeds 0.04. Please clarify. Also, I don't see a filing fee for the amendment application. Is there a filing fee?

In summary, I need a new water right for irrigation/fire flow from the lake; an amended water right to add a well; and change ownership. If you can think of an easier way to make these things happen, please advise.

I appreciate your help.

Marty

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

From: Franklin, Keith [mailto:Keith.Franklin@idwr.idaho.gov]
Sent: Friday, August 15, 2008 12:46 PM
To: Marty Taylor
Subject: RE: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Item #3 Point of Diversion

Department records show the point of diversion is in the NWSW Gov. Lot 2 instead of the NWSWSW as indicated on the draft.

[Marty Taylor] That's for the 1972 well and Water Right 96-7092. This proposed additional point of diversion is for a pipe in the lake which will be in the NENW Gov 2. See map. Are you okay with this?

Item #4 Purpose of Use

You will have to determine the amount of land to be irrigated. If you are looking at 23 acres, the corresponding diversion would be 0.46 cfs (0.02 cfs per acre).

[Marty Taylor] Thanks. I checked the land plan, and the irrigated land totals 19 acres, or 0.38 cfs. By the way, is it not correct to round up when calculating cfs, or do you want the number to be exact? Would I round 0.38 to 0.40, for instance?

Item #5 Totals

The total max diversion would be 3.0 cfs instead of the 3.5 cfs. If you're diverting water to fight a fire, there probably isn't any irrigation going on, so they don't have to be additive.

[Marty Taylor] Got it. To be precise, the 1250 gpm the fire chief wants equates to 2.79 cfs. Should I enter that amount versus 3.0? I don't want to underestimate, though.

Item #7 Time For Completion of Work

An applicant can request from 1 to 5 years by which to complete the work. Choose one to the whole year only.

[Marty Taylor] My oversight. I missed this blank. The county allows four years to final plat, so I'll enter in 4 years.

Item #9 Place of Use

You've indicated a "D" in the NWSW. You are applying for irrigation and fire protection only not domestic, the "D" can be eliminated.

Since you are applying for irrigation, you will need to determine how many acres will be irrigated within each quarter quarter, rounded to the one-half acre, within your project boundary. Once you have made the determination, place the number of acres in the appropriate box in Item #9 and carry the totals to the far right and at the bottom of the item. Fire protection would show as a "F" in the box signifying the proper quarter quarter. The map you provided indicates your project boundary is within four quarter quarters, NWSW, NESW, SWSW and SESW.

[Marty Taylor] I have corrected. See attached revisions

Applicant

Beyond Hope II LLC Should attach a copy of their registration with Idaho's Secretary of State, so we can data enter the names and titles of the principals.

[Marty Taylor] This is a Wyoming LLC. I have those papers from Wyoming, though. See attached.

Other than what is listed, the draft looks OK

Keith.

From: Marty Taylor [mailto:mtaylor@jasewell.com]

Sent: Thursday, August 14, 2008 4:04 PM

To: Franklin, Keith

Subject: Beyond Hope Resort Irrigation and Fire Flow Water Rights

Hi Keith:

Could I talk you in to taking a look at the draft application, attached?

I'd rather get your input up front, get the application dialed in, and submit a clean application all at once. You've been very helpful on former water rights applications wherein I needed to make revisions, so I thought I actually get with you first and make my submittal cleaner.

We're trying to provide 1250 gpm fire flow as mandated by the fire chief, which, rounding up, is about 3 cfs. We are also desiring to irrigate about 23 to 25 acres of forest, lawn, shrubs, etc., with lake water, as opposed to using drinking water, thereby needed to appropriate another 0.5 cfs.

I have attached a locator map, and will provide the requested USGS map, too.

Call me and we can go over, or if you want to write down your suggested revisions and e-mail me back, that would be great.

Thanks in advance for your help.

Marty

P.S. I already noticed a "typo." The point of diversion is in the NW1/4 NW1/4 SW1/4, not the NW1/4 SW1/4 SW1/4.

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<<Water right app draft.pdf>>