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MEMORANDUM

Date: April 7, 2016
To: Water Right File 63-12017 and 63-12448
From: Ashley Newbry
Re: Licensing Memorandum

Modified Combined Volume Limit

Water permits 63-11413, 63-12448, and 63-12017 shared a combined use volume limit of 1,455 AF. Because water permit 63-12448 has always been a “municipal” nature of use; it would not have typically included a diversion limit. When the City submitted Application for Permit 63-12448, it requested this combined limit to reflect their private use-agreement with United Water Idaho. The City considered the combined diversion volume of 1,455 AF as their conservative estimate, assuming that up to 550 homes would not have access to surface water for irrigation. This combined diversion volume allowed for continued growth and development, as well as an increase in demand on the City’s east diversion and distribution system.

The City’s application also included a less conservative estimate, in the event that all of the homes were provided surface water for irrigation. This estimate of 1,125 AF per year was intended to include any volume associated with 63-12017. When I conducted the field exam for 63-11413, I learned that the entire development (today known as Lexington Hills, Brookwood, and Echo Creek) receives surface water for irrigation. Therefore, I previously proposed that water rights/permits 63-11413 (434.0 AF), 63-12448, and 63-12017 (up to 56.0 AF) share a combined use volume limit of 1,125 AF. During the process of licensing 63-12448 and 63-12017, we made an effort to simplify the 1,125 AF volume limit in the following manner:

City of Eagle Water Right No.	Volume	Combined Volume	Rate	Combined Rate
Municipal Water Right 63-11413	434 AF	434 AF	3.15 CFS	3.25 CFS
Municipal Water Right 63-12448	691 AF	691 AF	3.25 CFS	
Aesthetic, Wildlife, etc. Right 63-12017	56 AF		1.50 CFS	
Total		1,125 AF		3.25 CFS

The City and IDWR agreed to “carve out” water permit 63-12017 from permit 63-11413 in response to a complaint filed against the use of municipal water for ponds. Five acres of irrigation was removed from 63-11413 to mitigate for the consumptive portion of the 63-12017 ponds. Permit 63-12017 was issued to allow the community to fill the ponds during development of the subdivision and to top-off the ponds *when Farmers Union Canal water is not available* at build-out. The place of use for permit 63-12017 includes the subdivisions which are today known as Lexington Hills and Echo Creek (formerly Trail Creek). This permit was never amended to include Brookwood, the neighboring subdivision to the west. As part of the field exam, I measured the Lexington Hills’s water amenity ponds and found a surface area of approximately 5 acres. I utilized utility billing records to confirm a maximum annual use of 56 AF during the development period of permit 63-12017.