

Newbry, Ashley

From: Newbry, Ashley
Sent: Wednesday, February 17, 2016 10:45 AM
To: Ken Acuff; 'Kellie Rekow'
Subject: Additional Info for City of Eagle Water Permit 63-12448
Attachments: 63-12448 Permit Final Order.pdf; 63-12448 Proof Statement.pdf; Proof Report 63-12448.pdf

Ken and Kellie,

I am writing again to request your help gathering additional data. I am trying to license City of Eagle water permit 63-12448. If you take a look at the permit order attached, notice that it has a condition called a "combined use limit" (See condition #10 on page 35 of the attached order): ***(10) Right nos. 63-11413 and no. 63-12017, and no. 63-12448, when combined, shall not exceed a total maximum diversion rate of 3.25 cfs and a total annual maximum diversion volume of 1,455 acre-feet.***

At the time of licensing, we have to revise the limits to match what the City developed during the development period (development period = from the date the permit was signed by IDWR until the date the permit holder signed the "Statement of Proof of Beneficial Use"). In this case, the development period was from December 3, 1998 to September 29, 2009.

In its water right application submitted April 1998, the City states that the volume of 1,455 acre-feet would be necessary if the development (Lexington Hills/Brookwood) didn't receive surface water for irrigation. The application also gave an estimate of the amount that would be needed if these subdivisions did receive irrigation water: 1,125 acre-feet. From the last time I spoke with Ken, it was my understanding that both subdivisions are supplied with surface water for irrigation from Farmers Union Ditch Co.

We have already licensed 63-11413 for 3.15 cfs and 434.0 acre-feet. This leaves 691.0 acre-feet to be shared amongst 63-12448 (general municipal use) and 63-12017 (Lexington Hills ponds). We have a couple of license options for you to choose from...

<u>Option 1</u>	<u>Option 2</u>
Example Let's say a maximum of 65 acre-feet was diverted each year from a City well for filling the Lexington Hills Ponds under permit 63-12017.	
<p style="text-align: center;">License Outcome</p> <p>License 63-12017 is limited to an annual diversion volume of 65.0 acre-feet. AND License 63-12448 is limited to 626.0 acre-feet.</p>	<p style="text-align: center;">License Outcome</p> <p>License 63-12017 is limited to an annual diversion volume of 65.0 acre-feet. AND Rights 63-12017 and 63-12448 shall not exceed a total maximum diversion volume of 691.0 acre-feet.</p>
<p style="text-align: center;">Advantage of Option 1</p> <p>The water right licenses would be completely independent of each other. This would be the most convenient choice if there is a chance the City might give ownership of the Lexington Hills pond water right 63-12017 to the HOA.</p>	<p style="text-align: center;">Advantage of Option 2</p> <p>The water right licenses are co-dependent. Any of the volume not utilized under the Lexington Hills pond water right 63-12017 can be utilized for other municipal demands using 63-12448.</p>
<p style="text-align: center;">What I will need from you:</p> <ol style="list-style-type: none"> 1. The desired license structure: Option 1 or Option 2 2. An approximation of how much water was actually diverted each year from City wells to the 	

Lexington Hills ponds during the development period (12/3/1998 to 9/29/2009).

I think there might be multiple ways to get at this data. My hope is that the HOA has its own water meter and utility billing account for any City water that they put into the ponds. If this isn't feasible or if you have other ideas, please let me know.

Feel free to call me if all this is too confusing. If I don't hear back from either of you in the next week or so, I will give you a call to discuss.

Thank you,

Ashley Newbry

Associate Engineer

Idaho Dept. of Water Resources

State Office

322 E. Front Street

PO Box 83720

Boise, ID 83720-0098

208.287.4800 X 4846

Notes:

Per telephone conversation with Mr. Acuff on 2/29/16, the City would prefer licensing via Option 2. They have no intention of turning over the water right 63-12017 to the HDA.

Ashley 3/2/16