

MEMORANDUM

TO: Exam 63-31658

FROM: Kay Walker 

RE: Correction to Field Exam Report

Date: November 18, 2013

.....

The examiner has based her volume of water on use of lawns and gardens for 276 homes. Permit was issued for lawns and gardens for 272 homes. Since we cannot increase the number of homes under the permit I recommend a diversion volume as follows:

$272 @ 0.15 \text{ acre/home} = 40.8 \text{ acres} \times 4.5 \text{ af/acre} = 183.6 \text{ acre feet per year}$

from S.O.S. website 11/18/13 fw

No. C 146549	Due no later than Dec 31, 2013 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. BALDWIN PARK NEIGHBORHOOD ASSOCIATION, INC. MIKE MADSON MGM MANAGEMENT PO BOX 1246 MERIDIAN ID 83642		MGM MANAGEMENT LLC 660 WATERTOWER STE 100 MERIDIAN ID 83642			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	DAN OLSON	PO BOX 1246	MERIDIAN	ID	USA	83680
DIRECTOR	JASON GILL	PO BOX 1246	MERIDIAN	ID	USA	83680
DIRECTOR	RICHARD KELLY	PO BOX 1246	MERIDIAN	ID	USA	83680
DIRECTOR	ANDY ROMAN	PO BOX 1246	MERIDIAN	ID	USA	83680
DIRECTOR	STAN YOUNG	PO BOX 1246	MERIDIAN	ID	USA	83680
5. Organized Under the Laws of: ID C 146549		6. Annual Report must be signed.* Signature: Mike Madson Date: 10/18/2013 Name (type or print): Mike Madson Title: Mgm Association Management				
Processed 10/18/2013		* Electronically provided signatures are accepted as original signatures.				

RECEIVED

OCT 09 2013

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Capital Development, Inc., hereby assign to Baldwin Park Neighborhood Association
Current owner(s) New owner(s)of, _____
New owner's address including city, state and ZIP PhoneAll my right, title, and interest in and to Permit No(s): 63-31658 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit Number(s):

_____, to appropriate the public waters of the State of Idaho.

Describe in detail the portion of the permit assigned, listing the number of acres in each 40 acre subdivision, point of
diversion location, and amount of the water in cubic feet per second.

Does the new permit holder own the property at the:

Point of diversion? ☒ Yes ☐ No
Place of use? ☒ Yes ☐ No

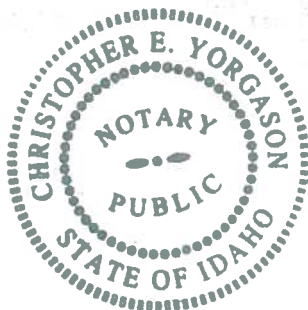
If no, describe the arrangement enabling the new owner to access the point of diversion and/or the place of use:

Dated this 11 day of September, 2013.Damar Gorgason
Permit holder Title (if applicable)

Permit holder Title (if applicable)

State of Idaho)
County of Ada)ssOn this 10th day of September, 2013, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL

Christopher E. Yorgason
Notary PublicMy commission expires: Aug 11, 2015

Music, Vicky

From: Yorgason Law [chris@yorgasonlaw.com]
Sent: Tuesday, October 08, 2013 11:22 AM
To: Music, Vicky
Subject: Re: Baldwin Park permit 63-31658

Hi Vicki~

The original went out in today's mail.

Chris

Chris Yorgason
Yorgason Law Offices, pllc
6200 N. Meeker Place
Boise, ID 83713
Tel. (208) 861-3332
Fax (208) 375-3271

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On Oct 7, 2013, at 4:15 PM, "Music, Vicky" <Vicky.Music@idwr.idaho.gov> wrote:

IDWR
ATTN: VICKY MUSIC
2735 AIRPORT WAY
BOISE, ID 83705

Thank you -
Vicky M

From: Yorgason Law [mailto:chris@yorgasonlaw.com]
Sent: Monday, October 07, 2013 4:06 PM
To: Music, Vicky
Subject: Re: Baldwin Park permit 63-31658

Where can I send the form?

Chris Yorgason
Yorgason Law Offices, pllc
6200 N. Meeker Place
Boise, ID 83713

Tel. (208) 861-3332
Fax (208) 375-3271

This transmission may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, where in electronic or hard copy format. Thank you.

On Oct 7, 2013, at 3:18 PM, "Music, Vicky" <Vicky.Music@idwr.idaho.gov> wrote:

Thank you. Please send me the original of the assignment form.

Vicky M

From: Yorgason Law [<mailto:chris@yorgasonlaw.com>]
Sent: Wednesday, September 11, 2013 4:27 PM
To: Music, Vicky
Subject: Re: Baldwin Park permit 63-31658

Hi Ms. Music~

Please find attached an executed copy of the transfer agreement. I am also attaching the one file that we could find that describes the plans for the pump and the system.

We believe that Burgess did the install, though it could have been Caron.

Thanks,

Chris

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-31658

Exam Date: 10/9/2013

1. Current Owner: BALDWIN PARK NEIGHBORHOOD ASSN
C/O MGM MANAGEMENT LLC
PO BOX 1246
MERIDIAN ID 83680
(208)870-5415
2. Accompanied by: MIKE MADSEN, PROPERTY MANAGER, ANDY ROMAN, STAN YOUNG, RICHARD KELLEY - BOARD MEMBERS,
Phone No:
Address:
Relationship to Permit Holder: SAME

3. SOURCE

TRIBUTARY

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Settlers Irrigation surface water shares
2. Other water rights with the same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SW1/4NW1/4 Sec. 36, Twp 04N, Rge 01W, B.M.
ADA County

Method of Determination: GPS N 43.64129, W -116.41196, and aerials

2.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04N	01W	36							X				X						

Method of Determination: aerals

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. 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 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

Well or Diversion**ID No.*****Motor Make****Hp****Motor Serial No.****Pump Make****Pump Serial No. or Discharge Size**

_POD_____ unknown _____

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

D. FLOW MEASUREMENTS

1.

Measurement**Equipment****Type****Make****Model No.****Serial No.****Size****Calib. Date**

2. Measurements: NONE TAKEN

E. FLOW CALCULATIONS

_____Additional Computation Sheets Attached

[1] THEORETICAL CALCULATION – ASSUMPTIONS: 70% efficiency, 5 hp pump, z = 12 feet which is 3 feet above bottom of sump, 10 psi for open system

$$8.8 \times 0.7 \times 5 \text{ hp} / 12 + [10 \text{ psi} \times 2.31] = 30.8 / 35.1 = 0.877 = 0.88 \text{ cfs}$$

$$[2] \text{ IDWR standard of } 0.02 \text{ cfs/ acre} \times 41.4 \text{ acres irrigated} = 0.82 \text{ cfs}$$

Measured Method:

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: in this case, entire permit is irrigation designated as domestic.

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 41.4 \times 4.5 = 186.3$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in season}) \times 1.9835 = 0.37 \times 260 \times 1.9835 = 190.81 \text{ af}$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 186.3$$

2. Volume Calculations for Other Uses: not applicable

G. NARRATIVE/REMARKS/COMMENTS

The permit was issued for domestic uses in the Baldwin Park subdivision, for a quantity of 0.37 cfs from shallow ground water. The use is irrigation supplemental to Settlers Irrigation District shares. The permittee of record is the subdivision developer, Capital Development. The developer is no longer involved with the subdivision. An assignment of permit was processed.

I was accompanied on both field exams by Mike Madsen with MGM Management, the property manager, and HOA Board members Andy Roman, Richard Kelley and Stan Young. During the first exam in the summer of 2013, I could not find any system in place whatsoever. No one who accompanied me was aware of any supplemental ground water system either, and we all assumed the permit had not been developed.

A preliminary Order to Void was issued which prompted a call from Ramon Yorgason, the developer. He explained the system and what to look for. The "excavation" referred to in the application is a sump located in the pump house. It was designed to be less than 18 feet deep. Mr. Yorgason said it was 12 feet to 15 feet deep. The developer also sent design specs of the pump house and the irrigation system.

I made a second site visit and saw the grate-covered sump. We removed the grate and observed water in the sump, at a depth of about 12 feet below ground level. Piping from the 3 pumps, the 5 hp for the shallow ground water, and the 10 hp and 20 hp piping for the Settlers surface water, was present. Settlers turned their pumps off in early September and the ditch is nearly dry, so the water seen was the shallow ground water.

I spotted checked the lot size and irrigation of each for about 15 lots in ArcMap. The irrigation ranged from 0.10 acre to about 0.15 acre. Using 0.15 acre average irrigation for the 276 lots = 41.4 acres irrigated. The theoretical flow calculation and the IDWR standard of 0.02 cfs/ acre yielded flows of 0.88 cfs and 0.82, respectively. The permitted flow of 0.37 cfs is recommended for licensing. The volume recommended for licensing is the lesser of the Vir and Vdr calculations which is 186.3 af.

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

Condition no. 11 should be reworded as "Place of use located within Baldwin Park Subdivision No 1 – 8."

H. RECOMMENDATIONS

- | | |
|-------------------------|-----------------|
| 1) Permit amount | <u>0.37</u> cfs |
| 2) Beneficial use limit | <u>0.82</u> cfs |
| 3) System measurement | <u>0.88</u> cfs |
| 4) Proof fee amount | <u>1.0</u> cfs |

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	03/01 to 11/15	0.370 CFS	186.30 AF
	<u>Totals:</u>	0.370 CFS	186.30 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 ☐ Other

I. AUTHENTICATION

Field Examiner's Name Wally Chmiec Date 11-5-13
Reviewer _____ Date _____



63-31658 2011 BING PHOTOGRAPHY -- Baldwin Park subdivision. POD outlined in red. POD is the green point.

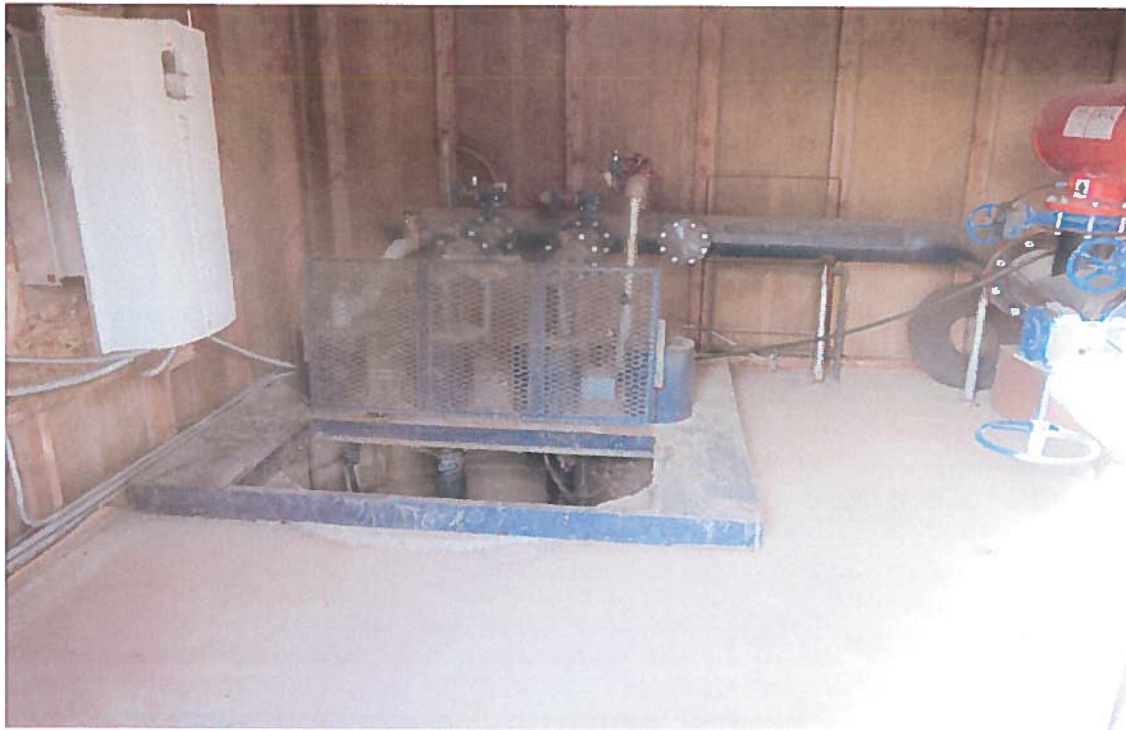
63-31658 – Field exam photographs



Sump inside the pump house.



Piping in the pump house that conveys the co-mingled shallow ground water and Settlers irrigation District surface water to the subdivision.



Another view of the sump in the pump house. Looking west.



Settlers irrigation ditch about 40 feet south of the pump house.



Looking north at pump house and place of use in background.