

A. GENERAL INFORMATION

Exam Date: 10/1/2012

- | 3. <u>SOURCE</u> | <u>TRIBUTARY</u> |
|------------------|------------------|
| GROUND WATER | BOISE RIVER |

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

1. LOCATION OF POINT(S) OF DIVERSION:

Method of Determination: 2011 Bing aerial photography

[illegible]

Method of Determination: 2011 Bing aerial photography

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.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
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The points of diversion are located in the center of each pond on the map

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

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
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2. Measurements: no measurements taken

E. FLOW CALCULATIONS _____Additional Computation Sheets Attached

Measured Method: not applicable – no flow component permitted.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: not applicable

$$V = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$\text{I.R.}$$

$$V = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$\text{D.R.}$$

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

2. Volume Calculations for Other Uses: aesthetic storage

Used the IDWR standard method for calculating volume = surface area x average depth x 0.4

$$\text{Pond \# 11: } 0.63 \times 20 \times 0.4 = 5.04 \text{ af} = 5 \text{ af}$$

$$\text{Pond \# 12: } 0.10 \times 20 \times 0.4 = \frac{0.8 \text{ af}}{5.8 \text{ af} = 6 \text{ af}}$$

TOTAL VOLUME

G. NARRATIVE/REMARKS/COMMENTS

This permit was issued for aesthetic storage in 1 pond in the Stonebriar Subdivision in Meridian. The correct fee was paid. I met the President of the HOA, Daniela Hansell, and her husband, Jeff, however, there is not anyone associated with the HOA who is familiar with the development of the pond system. So, no one accompanied me during the exam.

Mrs. Hansell stated that the address of record and phone number needs to be changed because the current information is that of a property management company that no longer represents the HOA. Mrs. Hansell filed a change of registered agent with the Idaho Secretary of State, to herself and her home address. It is in the file.

During the exam, two ponds instead of one were found. These ponds are part of 12 ponds developed in the subdivision. The permits were issued under 3 permits because the ponds comprise 3 separate systems. The field exams for the 3 permits were conducted the same day. I have numbered the ponds from 1 to 12 to avoid confusion when referring to the ponds in each system. Pond, # 11, permitted here in 63-31136, is limited to a surface area of 1 acre and a storage volume of 12 af. The second pond, # 12, was observed during the field exam and the 2011 aerial, about 40 feet to the west of # 11. No ditches connecting the two ponds were seen during the field exam or in the 2011 aerial.

The application states that water will return to a side channel of the Boise River. The side channel is 400 feet south of the ponds. There are no ditches from the ponds to the side channel visible on the aerial or during the field exam. In any case, the river is so close, there is most likely groundwater flowing from the area of the ponds to the river.

I calculated the surface area of the ponds from ArcMap. There will be some error in these values because the boundaries of many of the ponds have cattails and other water-loving plants, trees and other landscaping so it is difficult to determine exactly what the boundary is. The narrative attached to the original application does not indicate the expected depth of this pond so I will assume it to be 20 feet, based on the narrative for the other ponds.

The surface area of # 11 is 0.6 acre. Using the IDWR standard equation for calculating volume of surface area x depth x 0.4, the volume for # 11 is 5.0 af. The surface area of pond # 12 is 0.10 acre. The equation result is 0.8 af. Totals are 0.7 acre and 5.8 af. I recommend for licensing a volume of 6 af.

The fact that two ponds, not one, exists is not a problem because together, they meet the condition limiting surface area and volume. *

The Eureka Ditch Co. has historically provided surface water for irrigation on the property, and transfer 70169 was approved to provide mitigation for pond evaporation for the three permits. The mitigation plan proposed retiring approximately 10.5 irrigated acres for mitigation and leaving 0.11 cfs and 21.4 af undiverted to provided for ground water recharge. ← 71069 *

I contacted the applicant for verification that 0.11 cfs remains undiverted per the condition. Because more than 10.5 acres were retired due to development, it is certain that the volume component of the condition has been met. That information was provided and is in the file in an email from Jan Rose, with Star Property Management. Based on the field exam, the condition regarding mitigation has been met.

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

The condition stating 1 pond should be modified to 2 ponds.

The condition limiting surface area and volume should be modified to 0.7 acre and a volume of 6 af.

Add R05 - Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63, Boise River.

* SAME NOTE AS IN 63-31134 exam
-SK 9/9/13

H. RECOMMENDATIONS

- 1) Permit amount _____ cfs &/or ____12____ af storage
2) Beneficial use limit _____ cfs &/or _____ af storage
3) System measurement _____ cfs &/or ____6____ af storage
4) Proof fee amount _____ cfs &/or ____20____ af storage

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		6.00 AF
	<u>Totals:</u>		6.00 AF

2. Recommended Amendments

___ Change P.D. as reflected above x 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 Wing Lin Date 10-9-12
Reviewer _____ Date _____



63-31136 -- 2011 Bing Photography. Place of use is the ponds, outlined in orange. Points of diversion are green.



Pond # 11- looking southeast



Pond # 12 – looking northwest.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

September 18, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

STONEBRIAR HOMEOWNERS ASSN INC
7353 N STONEBRIAR LN
MERIDIAN ID 83646

RE: Water Right Permit No. 63-31136

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:



Points of Diversion

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at 334-2190.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures: Amendment Application & Layout

10-1-13
Discussed w/Jay
Rose of Property Mgmt.
Will get amendment
signed & submitted
w/check - kw

Music, Vicky

From: jan rose [janrose.spm@gmail.com]
Sent: Tuesday, April 30, 2013 2:18 PM
To: Music, Vicky
Subject: Fwd: Stonebriar Permit

Please see below. It came back for technical issues

----- Forwarded message -----

From: **jan rose** <janrose.spm@gmail.com>
Date: Tue, Apr 30, 2013 at 2:15 PM
Subject: Stonebriar Permit
To: Vicky.Music@idwr.idho.gov

Hi Vicky:

I believe I have the information necessary for the Stonebriar Permit to Appropriate Water 63-31134, 63-3115 and 63-3116.

Eureka Water supplies Stonebriar with 90 shares of water. Per the water company that equates to 1.6 cfs or 718.4 gal/min.

The Stonebriar pump rate is 1.3 cfs or 583.7 gal/min.

The current surplus is 134.7 gal/min.

Per your letter of February 8, 2013 the subdivision needs to ensure that 0.11 cfs is to remain undiverted. That amount equates to 49.4 gal/min.

Based on the surplus and the amount needed to remain undiverted the association currently is well over the required amount. As more homes are built, some of the surplus will be used. Currently not all homes or common areas are irrigating at the same time, so there will not be a problem with retaining the required amount in the ditches.

Please let me know if you need anything further. Thanks you for allowing the extension of time.

--

Jan Rose
Star Property Management
P.O. Box 810
Star, Idaho 83669
208-286-9666
208-286-0563 fax

--

Jan Rose
Star Property Management

Music, Vicky

From: Music, Vicky
Sent: Tuesday, March 12, 2013 4:02 PM
To: 'janrose.spm@gmail.com'
Subject: Stonebriar
Attachments: CONSULTANT LIST .DOC

Jan -

This e-mail confirms an extension of the deadline to submit information I requested from the Stonebriar HOA in a letter dated February, 2, 2013. The new deadline is April 30, 2013.
Attached is a list of consultants. Please call or e-mail me with questions.

Sincerely,

Vicky Music
Sr. Water Resource Agent
IDWR Western Region
2735 Airport Way
Boise, ID 83705
208.334.2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 8, 2013

STONEBRIAR HOMEOWNERS ASSN INC
7353 N STONEBRIAR LANE
MERIDIAN, ID 83646

RE Permit Nos. 31134, 63-31135 and 63-31136

Dear Mrs. Hansell:

I met with you and your husband on October 1, 2012, during the field exams I conducted for the pond system in the Stonebriar Subdivision. There is one last bit of information the Department needs before these permits can be licensed.

One of the conditions of approval of the permits is that a portion of the water historically delivered to the property be left in the ditch system for shallow ground water recharge. I have attached the condition from permit 63-31134. The condition is in all three of the permits.

Please provide a brief description of how the subdivision tracks the 0.11 cfs / 21.4 acre-feet that is to remain undiverted. For instance, do you have someone who is responsible for the surface water diversion system and recordkeeping?

Please submit the requested information either in writing or call me and I will note the information in a telephone memo, by February 22, 2013. You can reach me at 208.334.2190. Thank you.

Sincerely,

Vicky Musie
Sr. Water Resource Agent

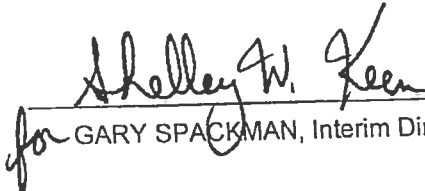
Enclosure: Permit to Appropriate Water 63-31134, page 2

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31135

- 5. To offset the depletion of water resulting from the use of water under this right, the right holder shall, in cooperation with the owner of Rights 63-145 and 63-16383, divert 0.11 cfs and an annual diversion volume of 21.4 af for ground water recharge as authorized by Transfer 71069. If the right holder cannot continue to implement this mitigation plan every year for any reason, the right holder shall immediately implement an alternative mitigation plan approved by the Department.
6. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
7. Place of use is the Stonebriar Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of July, 2009.


for GARY SPACKMAN, Interim Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 18, 2012

Stonebriar Homeowners Association, Inc.
c/o Daniela Hansell
7353 N. Stonebriar Lane
Meridian, ID 83646

Re Permits To Appropriate Water Nos. 63-31134, 63-31135 and 63-31136

Dear Ms. Hansell:

The permits referenced above were issued to the Stonebriar HOA for aesthetic storage in several ponds. This letter is to request that you call me to schedule the field exam for this permit. A field exam is required by Idaho law before a license can be issued, at which time it becomes a water right. The license is the end product needed for continued water use.

Please call me at 208.334.2190, by **October 2, 2012**, to set an appointment for the exam. Failure to respond to this letter request may result in the permit being voided or a license issued for less than the permitted amount. Thank you.

Sincerely,

Vicky Music
Sr. Water Resource Agent

FILED EFFECTIVE



STATEMENT OF CHANGE OF REGISTERED AGENT,
REGISTERED OFFICE, OR BOTH
(See reverse for Instructions)

12 JAN 20 11 9:16

File #: C153482 SECRETARY OF STATE
STATE OF IDAHO

The undersigned entity submits the following statement for the purpose of changing its registered agent, its registered office, or both, in the State of Idaho.

1. The name of the entity is:

Stonebriar Homeowner's Association, Inc.

2. The name and street address of its old registered agent and office is:

Stonebriar Homeowner's Association, Inc.
Ann Marie Baird
6223 N. Discovery Way Ste 120
Boise, ID 83713

3. The name and street address of its new registered agent and office in Idaho is:

Daniela Hansell
7353 N. Stonebriar Ln.
(not a PO box or PMB)
Meridian, ID 83646

I consent to serve as registered agent for the above-named entity.

Dan Hansell
(Signature of new registered agent)
1/19/2012
(Date)

Dated: 1/19/2012

Signature: Dan Hansell

Printed: Daniela Hansell

Capacity: Stonebriar HOA, Inc. President

FILE ONE COPY

NO FEE REQUIRED

change_ra_ro.pmd Rev. 07/2010