

RECEIVED

MAY 22 2013

WATER RESOURCES
WESTERN REGION

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 105-23529

1. Name of applicant(s) Southern Valley County Recreation District Phone 208-382-5136
Name connector (check one) ☐ and ☐ or ☐ and/or

Mailing address: PO Box 723 City Cascade
 State ID Zip 83611 Email: SVCRD@frontiernet.net

2. Source of water supply Ground Water - Geothermal Well which is a tributary of N/A

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
14N	03E	36	2		NE	NE	Valley	Ground Water - Geothermal	

4. Water will be used for the following purposes:

Amount 1.4 cfs for Heating purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1.4 cfs/ 998 af for Municipal purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 1.4 cubic feet per second (cfs) and/or (b) 998 acre-feet per year (af)

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Geothermal well w/ pump, 6 in discharge galvn. pipe to property for heating, municipal (recreation & other uses). Spent water discharged to existing ditch/irrigate.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is 12 inches; proposed depth of well is 177 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☒ Yes ☐ No

e. If well is already drilled, when? Aug 22, 1985; drilling firm Burns Well Drilling

Well was drilled for (well owner) Boise Cascade Corporation; Drilling Permit No. 826205

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. Municipal for public recreation purposes by SVCRD, political subdivision of Idaho. Not applying for planned future growth/expansion rights, non-RAFA

d. Domestic; show number of households N/A

e. Other; describe fully. Heating and primarily non-consumptive use (except landscaping) for indoor pool and building est. 22k sq ft heating + swimming pool (est 48' x 82' x 9' filled every 8 hrs) & heat, hot tubs/spa, facility uses & landscape irrig.

24/7 operation of pool and facilities is contemplated for application purposes. See Attached

8. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03E	36	G	G															
14N	03E	36	M	M															

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Decreed right 65-12755 for heating use part of yr from same well. Decreed right to be used in conjunction with this permit for year-round heating & municipal (recreational, ancillary facility and amenity uses, and season irrigation for landscaping up to 4.0 ac max).
10. a. Who owns the property at the point of diversion? SVCRD
b. Who owns the land to be irrigated or place of use? SVCRD
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Development of State designated "Brownfield" property to create yr-round aquatic and recreational facility utilizing geothermal water from exsiting well for decreed right for heating and municipal (rec & facility uses & landscape irrigation). Total rate of flow not to exceed 625 gpm (1.4 cfs). Water quality monitored, used & discharged per IDEQ requirements. Additional potable water, if needed, to be provided by City of Cascade mun system. Irr/landscape use limited to spent geothermal water. Traditional mun. use for public park & rec & does not include rights for planned future expansion due to growth. Mun Use: total vol 998 af/yr, consumptive vol 8.0 af/yr. peak rate 1.4 cfs. avg rate 1.4 cfs. See attached
12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Ben Wellington
Signature of Applicant

Ben Wellington, Designated SVCRD Board Member
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by AG Date 5/22/2013 Time 8:15 AM Preliminary check by AG
* Fee \$ 290.00 Received by SL FOR MP Receipt No. W040650 Date 10/18/12

* FEE RECEIVED FOR ORIGINAL APPLICATION.

Attachment to Amended Application for Water Right Permit No. 65-23529

7. e. For initial application and review purposes, the SVCRD seeks water rights to fill the swimming pool every 8 hours and to have the pool and recreational facilities open 24 hours per day, 7 days per week, 360 days per year. The AF calculation is based upon the standard formula of CFS x 1.98 AF x 360 days of use. The Heat and Municipal beneficial uses have been split in accordance with existing IDWR regulations for this non-RAFN application, but the nature and properties of the recreational pool use is not separated in terms of actual use. The resource as pumped contains the dual elements of water supply for swimming combined with the heat character resource of the low temperature geothermal resource which naturally will heat the pool and be pumped to the related facilities for heating the municipal facility and related features. The expected peak use period is covered for heating purposes by the decreed right of 65-12755 which also used the circulation of the naturally warm water to heat the Boise-Cascade Lumber Mill and facilities. The decreed right is currently parked in the State Water Bank and is currently not being used for water rental. In addition to the use of water and heat for year round swimming; the 22,000 square foot planned facility (subject to actual design and construction completion) will be heated with the resource; as well as the proposed use for heated sidewalks, pavement, parking and access to ward off snow and ice accumulation during cold and inclement weather if the heat source and quantity is sufficient. An additional recreational purpose may be to provide heating for recreational gardening facilities given the shortened unprotected growing season in Valley County.

11. *Continued:* Please reference the additional information provided in this attachment for 7. e. above regarding total AF use. The consumptive use calculation is based on the planned irrigation and water use for landscaping on the 4 acre municipal parcel. The vast majority of the water use will be non-consumptive and will augment the flow of the North Fork of the Payette River after the heat resource has been utilized, subject to DEQ regulation regarding water quality (the current pool and Browfield requirement is to meet or exceed drinking water standards for water quality). This constraint will likely require water filtering measures at the well-head if additional measures do not eliminate the current marginal variance in the drinking water standards. Water quality will regularly be monitored in conjunction with the IDEQ. At this time

the SVCRD is asserting the peak rate diversion as the average rate of diversion as design and operation of the pool and facilities have not been finalized; but with further development and implementation of the design, the average flow rate for the remainder of the year may run less than the peak rate provided under decreed right 65-12755 for the new year-round use.



HORIZONTAL SCALE IN FEET

RECORD OF SURVEY for **Southern Valley County Recreation District** Located in a Portion of the NE1/4 of Section 36 T. 14 N., R. 3 E., B.M., Valley County, Idaho

Legend

- Set 5/8 inch Rebar (PLS 13549)
- Found 5/8 inch Rebar
- Found Section Monument as Noted
- △ Calculated Position
- No Monument Found or Set
- Set 2 1/2" Long with 3/4" Dia. Cap Brass Plug in Concrete (PLS 5618)
- Boundary Line
- Existing Boundary Line
- Easement Line
- Approximate Dead Line - Refer to Deed Inst. No. 63180 & 45087
- Sixteenth Section Line
- Right-of-Way Line
- Area of Proposed Annexation into the City of Cascade and Proposed Dedication to the Public (1.73 Acres)
- Area of Proposed Dedication to the Public (2.23 + 1.73 = 3.96 Acres)

LINE	LENGTH	BEARING
L1	29.99	N43°37'03"W
L2	82.84	N43°37'03"W
L3	41.79	N43°34'59"W
L4	71.05	N43°34'59"W
L5	71.29	N19°39'24"E
L6	121.10	N14°40'46"E
L7	20.00	S87°54'00"W
L8	100.00	S87°54'00"W
L9	100.00	S56°09'19"E
L10	100.00	S56°09'19"E
L11	100.00	N01°20'56"W
L12	35.18	N01°20'56"W

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	11.95	2914.90	11.95	N09°42'12"W
C2	912.92	2914.80	914.18	N10°51'44"W
C3	187.37	2914.80	187.34	N12°11'58"W
C4	41.56	230.00	41.49	N09°15'14"E
C5	32.20	170.00	32.15	N09°15'14"E
C6	116.67	170.00	117.28	S34°12'51"W
C7	53.03	50.00	50.56	S34°12'51"W
C8	209.54	180.00	197.97	N31°15'00"E
C9	139.70	120.00	131.94	N31°15'00"E
C10	84.41	200.00	83.78	N17°12'55"W
C11	42.20	100.00	41.89	N17°12'55"W
C12	375.41	2450.00	375.04	N30°40'13"W
C13	390.23	2550.00	390.35	N30°40'13"W
C14	135.65	2914.90	135.84	N29°13'10"W

Former Boise Cascade Mill Site

Proposed Aquatic & Recreational Facility

Point of Diversion Existing

State Highway 55

See Detail 'A'

PO Brass Cap C.P. Nat. No. 256138

PO Brass Cap C.P. Nat. No. 256138

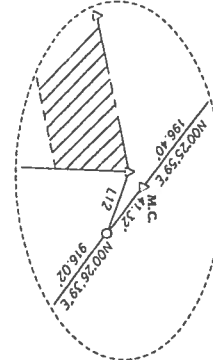
CERTIFICATE OF SURVEYOR
I, George J. Bowers IV, do hereby certify that I am a registered Professional Land Surveyor licensed by the State of Idaho, and that this map has been prepared on actual survey made on the ground by me or under my supervision, and that this map is an accurate representation of said survey, and is in conformity with the current laws of the State of Idaho pertaining to plats and surveys, including Title 55, Chapter 16, Corner Perpetuation and Filing.



Fodred Land Group, Inc.
Surveyors, Engineers, Planners.
105 N. MAIN STREET, P.O. BOX 188, CASCADE, IDAHO 83411. OFFICE: 208.387.4922. FAX: 208.387.2410
WWW.FODRELANDGROUP.COM

JOB NO. 2010-10
DRAWN BY: GJB
DATE: 09/10/12
SHEET: 1 OF 1

Detail 'A'
Not to Scale



- Notes**
- Refer to ROS Bk. 6, pg. 610, Inst. No. 236007
 - Refer to ROS Bk. 7, pg. 47, Inst. No. 256342
 - Refer to ROS Bk. 10, pg. 141, Inst. No. 336143
 - Refer to ROS Bk. 11, pg. 93, Inst. No. 333941
 - Refer to Affidavit of Interest in Real Property, Inst. No. 300715

Survey was performed with a Leica 1200 System GPS. GPS observations were corrected using NGS OPUS solutions for multiple observations, Idaho State Plane West Zone, State Plane Coordinates have been modified using a Combined Factor of 1.13 N. R. 1.0002876 at the NE corner Section 7, T. 14 N. R. 3 E., B.M., Bearings are Grid Azimuths. Distances shown are ground distances in U.S. Survey Feet.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

3 *N*

1. WELL OWNER
Name BOISE CASCADE MILL
Address CASCADE
Owner's Permit No. (BOISE CASCADE PERMIT)

2. NATURE OF WORK
☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE
☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☒ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED
☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION
Casing schedule: ☒ Steel ☐ Concrete ☒ Other PVC
Thickness 250 inches 12 inches + 2 feet 19 feet
250 inches 10 inches - 3 feet 177 feet
Inches _____ inches _____ feet _____ feet
Inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No SAW
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation 3/8 inches by 15 inches
Number 30 perforations 155 feet 177 feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 19 feet Material used in seal: ☒ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth ☒ Welded ☒ Solvent
Method of joining casing: ☐ Threaded ☒ Weld
☐ Cemented between strata
Describe access port WELL SEAL CAN
BE REMOVED

6. LOCATION OF WELL
Sketch map location must agree with written location.
N
W X E
S
County VALLEY
Subdivision Name _____
Lot No. _____ Block No. _____
SE 1/4 NW 1/4 Sec. 31, T. 14, R. 3 E.M.

7. WATER LEVEL
Static water level 9 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow 600-700
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 100 OF. Quality GOOD
Describe artesian or temperature zones below.

8. WELL TEST DATA
☐ Pump ☐ Boiler ☒ Air ☐ Other _____
Discharge G.P.M. _____ Pumping Level _____ Hours Pumped _____
600-700 177 3

9. LITHOLOGIC LOG 88287
Bore Diam. _____ Depth From _____ To _____ Material _____ Water Yes No
15 0 19 DECOMPOSED GRANITE X
SOFT
12 14 17 GRANITE WITH
SEAMS STARTING
AT 8' - 177 X

10. Work started AUG 18 85 finished AUG 22 85

11. DRILLERS CERTIFICATION 88
I/We certify that all minimum well construction standards were
compiled with at the time the rig was removed.
Firm BOISE WELL DRILLING Firm No. 103
ROUTE 2 BOX 615
CHARGEVILLE IDAHO 83530 Date 10/10/85
Signed by (Firm Official) G.R. Burns
and
(Operator) G.R. Burns

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

Southern Valley County Recreation District

I, **Robert Zach**, do hereby certify that I am the Treasurer of Southern Valley County Recreation District a corporation organized under the laws of the State of Idaho, Valley County Federal Tax I.D. Number 82-0511707, and that the following is a true, complete and correct copy of resolutions duly adopted by the Board of Directors of this corporation as of June 1, 2012, and that said resolutions are in full force and effect and have not been rescinded or modified.

RESOLVED, that the Bank is hereby designated as a depository for the funds of this corporation and any officer or other person name below is hereby authorized to open or cause to be opened an account or accounts on behalf of and in the name of this corporation with the Bank according to the Bank's "Terms and Conditions of Deposit Accounts" and any modifications or amendments thereto, and to execute and enter into any other agreement with the Bank for the deposit, withdrawal or transfer of any funds from or to said account(s).

RESOLVED FURTHER, that any officer or person hereinafter named is hereby authorized for and on behalf of this corporation to endorse in the name of this corporation and to cash, negotiate or deposit in such account(s) any money, checks, drafts, orders, notes and any other instruments for the payment of money held by or payable to corporation.

RESOLVED FURTHER, that any checks, drafts, orders or any other withdrawal order including any withdrawal and/or transfer of funds requested to be made by electronic or similar means and any and all other directions and instructions of any character with respect to funds of this corporation with the Bank (each of the above is individually and collectively referred to as the "Item") may be signed or initiated without signature by any one of the following or by any person purporting to be authorized by and one of the following:

Robert Zach-President/Treasurer

Robert Zach 10-26-2012

Signature

Date

Ben Wellington/Member

Ben Wellington 10-26-2012

Signature

Date

Linda Thacker-Vice President/Secretary

Linda Thacker 11-1-12

Signature

Date

And the Bank is hereby fully authorized to pay and charge to any such account(s) of this corporation any Item, so signed or initiated, including those payable to the individual order of the person signing them or to the Bank or to any other person or corporation, which are applied in payment of any indebtedness owing to the Bank from the person or persons who signed same.

I FURTHER CERTIFY that the Board of Directors of the corporation has full power and lawful authority to adopt the foregoing resolutions and to confer the powers therein granted to the persons names.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11/2/12 (DATE).

(NAME/TITLE /SIGNATURE)

M. H. Deane
(NAME/TITLE /SIGNATURE)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 65-23529
RECEIVED
MAY 10 2013

WATER RESOURCES
VI-208-382-5136

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Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: P.O. Box 723 City Cascade
State Idaho Zip 83611 Email: SVCRD@frontiernet.net

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14N	03E	36	2		NE	NE	Valley	Ground Water - Geothermal	

4. Water will be used for the following purposes: B.W. 5-10-13
Amount 1.40 cfs for Mun. heating & recreational purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.16-1.4 cfs for Mun. irrigation/ landscaping purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 1.40 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Geothermal well with pump, 6 in discharge galvn. pipe to property for heating, recreational & other uses. Spent geothermal water discharged to existing ditch/irrigate
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.
For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
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Well was drilled for (well owner) Boise Cascade Corporation; Drilling Permit No. 826205

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SW.
5-10-13

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03E	36	3/4	1/4															4.0
14N	03E	36	M	M															

Total number of acres to be irrigated: 4.0 max.

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- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
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Ben Wellington
Signature of Applicant

Ben Wellington, Designated SVCRD Board Member
Print Name (and title, if applicable)

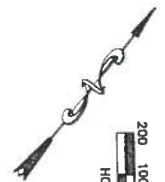
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by AR Date 5/10/2013 Time 7:45 AM Preliminary check by AR
* Fee \$ 290.00 Received by SL FOR MP Receipt No. W040650 Date 10/18/12

* SEE ORIGINAL APPLICATION FOR DETAILS.



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L7	20.00	S87°34'00"W
L8	20.00	S87°34'00"W
L9	100.00	N54°36'24"E
L10	100.00	S56°09'19"E
L11	100.00	N56°09'19"E
L12	35.18	N03°20'56"W

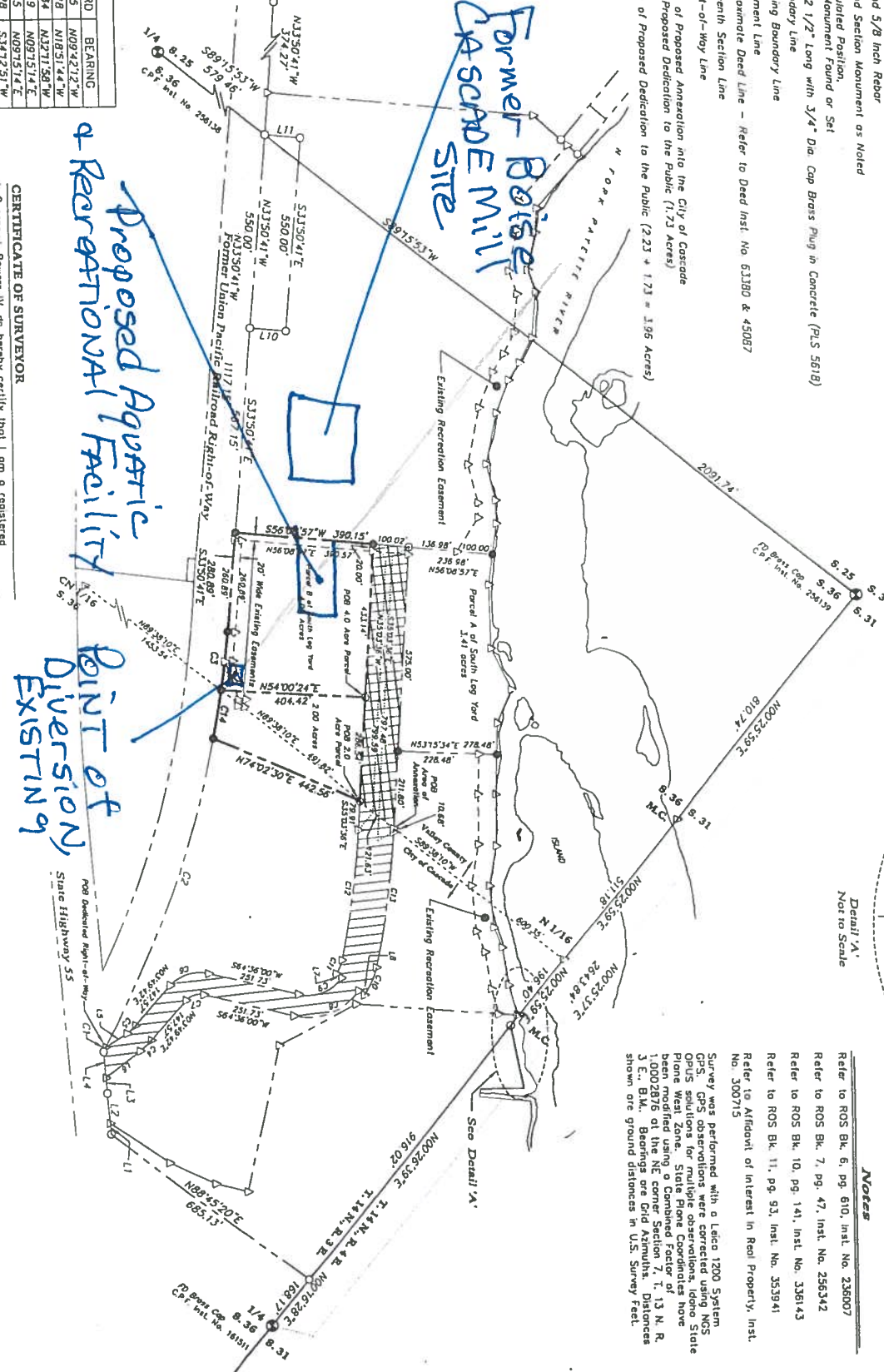
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	13.95	2914.90	13.95	N09°42'12"W
C2	917.97	2914.90	914.18	N18°51'44"W
C3	167.37	2914.90	167.34	N42°17'56"W
C4	43.56	230.00	43.49	N09°15'14"E
C5	32.20	170.00	32.15	N09°15'14"E
C6	116.67	110.00	111.28	S34°25'17"E
C7	53.03	50.00	50.58	S34°12'51"W
C8	209.54	180.00	197.91	N31°15'00"E
C9	139.20	120.00	131.94	N14°11'25"W
C10	84.41	200.00	81.78	N14°11'25"W
C11	42.20	100.00	41.89	N30°40'13"W
C12	373.41	2450.00	375.64	N30°40'13"W
C13	390.73	2550.00	390.35	N30°40'13"W
C14	135.65	2914.90	135.64	N29°13'10"W

CERTIFICATE OF SURVEYOR
I, George J. Bowers IV, do hereby certify that I am a registered Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground by me or under my supervision, and that this map is an accurate representation of said survey, and is in conformity with the current laws of the State of Idaho pertaining to plats and surveys, including title 55, Chapter 16, Corner Repetition and Filing.

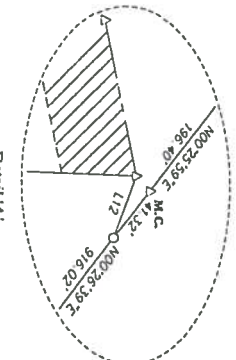


Fodrea Land Group, Inc.
Surveyors, Engineers, Planners.
105 N. MAIN STREET, P.O. BOX 188, CASCOE, IDAHO 83611 • OFFICE: 208.382.4007, FAX: 208.382.3410
WWW.FODREALANDGROUP.COM

JOB NO. 2010-10
DRAWN BY: GJB
DATE: 09/10/12
SHEET: 1 OF 1



Detail 'A'
Not to Scale



Notes

- Refer to ROS Bk. 6, pg. 610, inst. No. 238007
- Refer to ROS Bk. 7, pg. 47, inst. No. 256342
- Refer to ROS Bk. 10, pg. 141, inst. No. 336143
- Refer to ROS Bk. 11, pg. 93, inst. No. 353941
- Refer to Affidavit of Interest in Real Property, inst. No. 300715
- Survey was performed with a Leica 1200 System GPS. GPS observations were collected using NGS CORS stations. All observations were reduced to the NAD 83 datum. The State Plane Coordinates have been modified using a Combined Factor of 1.0002876 at the NE corner Section 7, T. 13 N., R. 3 E., B.M. Bearings are Grid Azimuths. Distances shown are ground distances in U.S. Survey Feet.

BK 12, PG 15
Inst. No. 371975

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No.

65-23529

RECEIVED

OCT 18 2012

SEP 28 2012

WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Southern Valley County Recreation District Phone 1-208-382-5136Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: P.O.Box 723 City CascadeState Idaho Zip 83611 Email: SVCRD@frontiernet.net2. Source of water supply Geothermal Well which is a tributary of Payette River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
14N	3E	36					Valley	N1/2NE1/4 Sec. 36	None

4. Water will be used for the following purposes:

Amount 1.180 CFS for Heating Research & Recrea purposes from 4-1 to 9-30 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 1.180 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 6 inch Existing Submersible pump & 6" discharge galvanized pipesb. Height of storage dam na feet; active reservoir capacity na acre-feet; total reservoir capacity na acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ Noc. Proposed well diameter is existing 12 inches; proposed depth of well is existing 177 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☒ Yes ☐ Noe. If well is already drilled, when? Aug. 18, 1985; drilling firm Burns Well DrillingWell was drilled for (well owner) Boise Cascade Corporation; Drilling Permit No. same as 65-12755

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. nab. Stockwatering; list number and kind of livestock. nac. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. municipal swimming pool and related facilitiesd. Domestic; show number of households nae. Other; describe fully. Municipal swimming pool and related facilities

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	3E	36	x	x															4 acres

Total number of acres to be irrigated: 4 acres

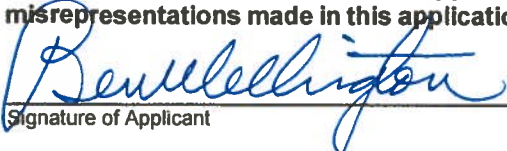
9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Decreed Water right number 65-12755
Possible irrigation and maintenance of facilities and grounds.

10. a. Who owns the property at the point of diversion? Southern Valley County Recreation District
b. Who owns the land to be irrigated or place of use? Southern Valley County Recreation District
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: na

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant intends to construct and operate a yearround municipal aquatic facility. Applicant currently owns the decreed water right number 65-12755, 1.18 cfs from 10-01 to 3-31. Applicant has consulted with IDWR Staff and was instructed to file a permit application that fits with intended usage.

12. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant

Ben Wellington, Board Member SVCRD
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

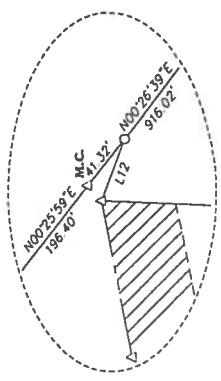
For Department Use:

Received by SL for MP Date 9/28/12 Time 1:45 Preliminary check by dh
Fee \$ 290 Received by SL for MP Receipt No. W090650 Date 10/18/12

* no \$, returned, return. And 10/18/12 w \$

priority date ↑

BK 12, pg 15
Inst. No. 371975



RECORD OF SURVEY

for

Southern Valley County Recreation District

Located in a Portion of the NE1/4 of Section 36
T. 14 N. R. 3 E., B.M.,
Valley County, Idaho



Legend

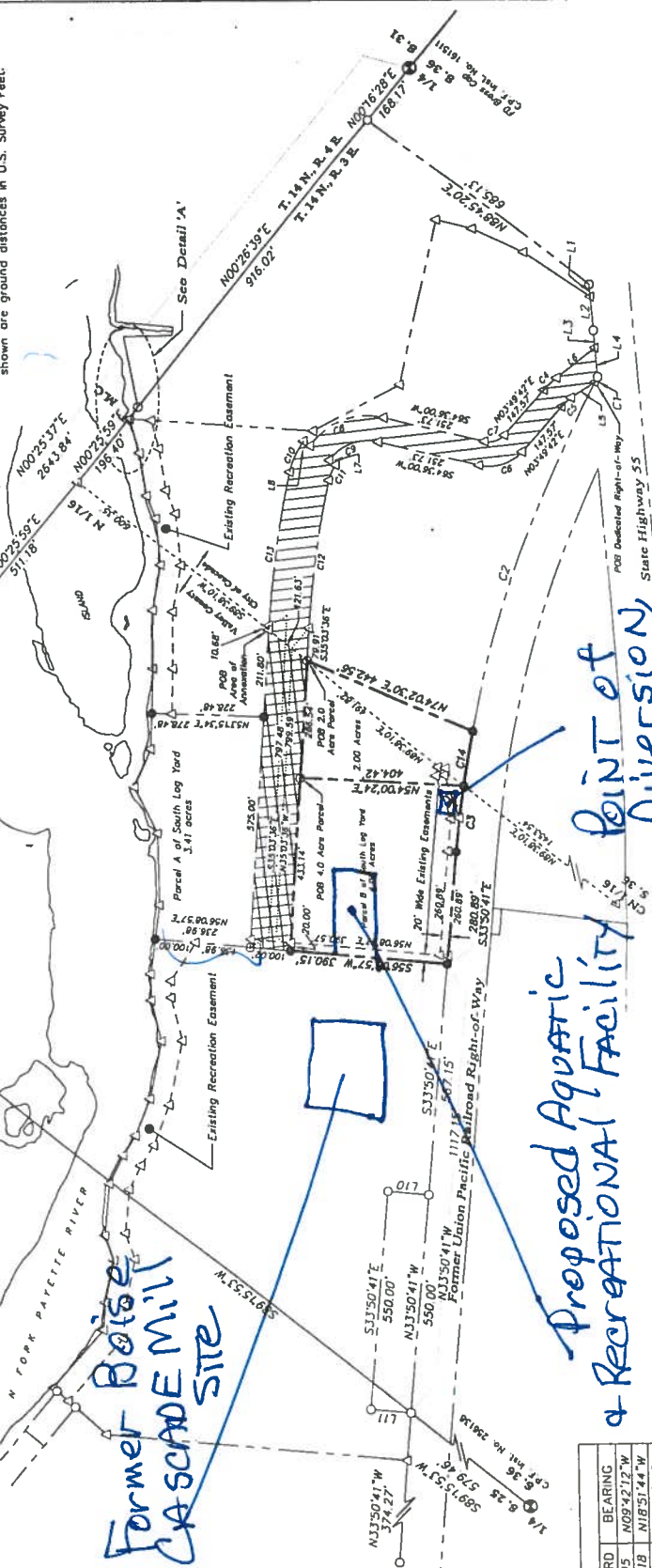
- Set 5/8 Inch Rebar (P.L.S. 13549)
- Found 5/8 Inch Rebar
- Found Section Monument as Noted
- Calculated Position
- No Monument Found or Set
- Set 2 1/2" Long with 3/4" Dia. Cap Brass Plug in Concrete (P.L.S. 5618)
- Boundary Line
- Existing Boundary Line
- Easement Line
- Approximate Deed Line - Refer to Deed Inst. No. 63380 & 45087
- Sixteenth Section Line
- Right-of-Way Line
- Area of Proposed Annexation into the City of Cascade and Proposed Dedication to the Public (1.73 Acres)
- Area of Proposed Dedication to the Public (2.23 + 1.73 = 3.96 Acres)

Notes

- Refer to ROS Bk. 6, pg. 610, Inst. No. 238007
- Refer to ROS Bk. 7, pg. 47, Inst. No. 256342
- Refer to ROS Bk. 10, pg. 141, Inst. No. 336143
- Refer to ROS Bk. 11, pg. 93, Inst. No. 353941
- Refer to Affidavit of Interest in Real Property, Inst. No. 300715

Survey was performed with a Leica 1200 System GPS. GPS observations were corrected using CORS solutions for the Idaho State Plane Coordinate System. The State Plane Coordinates have been modified using a Combined Factor of 1.0002876 at the NE corner Section 7, T. 13 N. R. 3 E., B.M. Bearings are Grid Azimuths. Distances shown are ground distances in U.S. Survey Feet.

LINE	LENGTH	BEARING
L1	29.99	N43°37'03"W
L2	62.94	N43°37'03"W
L3	41.79	N43°34'59"W
L4	71.05	N43°34'59"W
L5	71.29	N19°39'24"E
L6	121.10	N14°40'46"E
L7	20.00	S87°54'00"W
L8	20.00	S87°54'00"W
L9	100.00	N54°56'24"E
L10	100.00	S56°09'19"W
L11	100.00	N56°09'19"E
L12	35.18	N03°20'56"W



Proposed Aquatic & Recreational Facility

POINT of DIVERSION EXISTING

CERTIFICATE OF SURVEYOR

I, George J. Bowers IV, do hereby certify that I am a registered Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground by me or under my supervision, and that this map is an accurate representation of said survey, and is in conformity with the current laws of the State of Idaho pertaining to plats and surveys, including Title 55, Chapter 16, Corner Pertaining and Filings.



Fodrea Land Group, Inc.
Surveyors. Engineers. Planners.

105 N. MAIN STREET, P.O. BOX 188, CASCADE, IDAHO 83411 OFFICE: 208.382.4902 FAX: 208.382.2410
WWW.FODREAENGINEERS.COM

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, June 04, 2013 12:30 PM
To: 'todd.crutcher@deq.idaho.gov'
Subject: Application for Permit
Attachments: Application for Permit 65-23529.pdf; Amended Application for Permit 65-23529.pdf

June 4, 2013

TODD CRUTCHER
ID DEPT ENVIRONMENTAL QUALITY
1445 N ORCHARD
BOISE ID 83706-2239

RE: Application for Permit No. 65-23529

Dear Mr. Crutcher:

Attached are copies of one or more applications that may be of interest to you and/or to a local District Health office should you choose to delegate review of the application(s) to that organization. Please contact the applicant(s) if your agency and/or District Health have concerns about the application(s). It is not necessary to provide agency comments to the Idaho Department of Water Resources (IDWR), although your comments are welcome if you think IDWR would benefit from them.

If your agency and/or a local District Health office desires to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by June 24, 2013.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, May 29, 2013 3:19 PM
To: 'STARCLASS@FRONTIER.COM'
Subject: Legal Ad
Attachments: Valley Cover Letter.docx; Valley Legal Ad.docx

Good Afternoon Kim,

Please see the attached ad for publication on 6/6/2013 & 6/13/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

May 29, 2013

LEGAL NOTICE DEPARTMENT
STAR NEWS
1000 1ST ST
MCCALL, ID 83638

RE: Application For Permit No.: 65-23529

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/24/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

65-23529

SOUTHERN VALLEY COUNTY RECREATION DISTRICT

PO BOX 723

CASCADE, ID 83611

Point of Diversion L2(NENE) S36 T14N R03E VALLEY County Source GROUND WATER

Use: HEATING, MUNICIPAL 01/01 to 12/31 1.4 CFS

Total Diversion: 1.4 CFS

Date Filed: 10/18/2012

Place Of Use: HEATING , MUNICIPAL

T14N R03E S36 L2(NENE) L3(NWNE)

Municipal and heating use from an existing hot water well for an aquatic and fitness facility.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 6/24/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/6/2013 and 6/13/2013

Grimm, Angie

From: Ben Wellington [benhere@cableone.net]
Sent: Monday, May 20, 2013 8:23 AM
To: Grimm, Angie
Subject: Re: Amended Water Right Application #65-23529

Would 8:30ish work for you?? I am coming from Nampa and it is hard to second guess the traffic at that time.
Thanks,
Ben Wellington

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

From: Grimm, Angie
To: Ben Wellington, Broker
Sent: Monday, May 20, 2013 7:47 AM
Subject: RE: Amended Water Right Application #65-23529

My calendar is open on Wednesday. Anytime after 8 am works for me.

Angie

From: Ben Wellington, Broker [mailto:benhere@cableone.net]
Sent: Friday, May 17, 2013 3:57 PM
To: Grimm, Angie
Subject: RE: Amended Water Right Application #65-23529

How about Wednesday 5-22-2013?? You name the time and I will be there??
Thanks,
Ben

From: Grimm, Angie [mailto:Angie.Grimm@idwr.idaho.gov]
Sent: Friday, May 17, 2013 3:43 PM
To: Ben Wellington, Broker
Subject: RE: Amended Water Right Application #65-23529

Mr. Wellington,

5/21/2013 is not a good day for me (early meetings followed by afternoon of field work). I'm available Wednesday (5/22), or Thursday (5/23), or even Friday (5/24) morning 8-8:15 am...

Angie

Angela M. Grimm, P.G.
Water Resource Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190 phone
(208)334-2348 fax

From: Ben Wellington, Broker [mailto:benhere@cableone.net]
Sent: Friday, May 17, 2013 3:31 PM
To: Grimm, Angie

Cc: kennetharment@gmail.com; bob.svcrd@frontier.com
Subject: RE: Amended Water Right Application #65-23529

Angie Grimm, Mr. Ken Arment is working on your revisions and I hope to have the Amended, Amended Water Right Application to you possibly on Tuesday 5-21-2013.

Will you be available that morning around 8-8:15 a.m.?

Thank You for your patience.

Sincerely,
Ben Wellington

From: Grimm, Angie [<mailto:Angie.Grimm@idwr.idaho.gov>]
Sent: Wednesday, May 15, 2013 12:27 PM
To: SVCRD@frontiernet.net
Cc: Ben Wellington
Subject: Amended Water Right Application #65-23529

Mr. Wellington,

Good afternoon Ben! It's been a very busy couple of days, but I've finally had time to fully review the amended application you submitted last Friday (5/10) morning. Unfortunately, there are still a few questions remaining I need additional information/amendments for before the application can be advertized. I have attached a draft amended application you may wish to use to help expedite things as much as possible. This application form was drafted based on your most recent application and information I've gathered from you during our conversations. The attached form leaves blank spaces (highlighted) for additional information required as well as incorporates other amendments necessary. I've highlighted the blank spaces for quick reference. The following are the items that need to be/addressed in the drafted amended application:

1. Quantity and Period of Use (item no. 4):
 - Peak rate of 1.4 cfs provided on the amended application. However, Administrative Memorandum Application Processing No. 18 (sent to you with my March 15, 2013 letter- copy attached & highlighted for your reference) requires applicants submit average rate (may be same as peak in your case), total volume (needs to be placed in highlighted blank spots of item no. 4 of application), and consumptive volume quantity information. Along with listing the total volume in item no. 4, there are blank spots highlighted in item no. 11 for this data. Also, please attach justification information for the quantities requested (i.e. volume dependent upon hrs/days/yr facility operates, municipal use in this case considered non-consumptive except for landscape irrigation max 4.0 acres x 2.0 afa/ac standard consumptive volume in area = 8.0 afa consumptive volume per year, etc.)
 - Municipal use proposed is likely year round, like proposed heating use, assuming the facility is open year round. If this is not correct, please amend the attached draft application accordingly.
2. Description of Uses (item no. 7e):
 - I added "... filled every 8 hrs..." to item 7e to justify rate requested, based on previous conversation with you. Please correct this on the draft application if not accurate.
3. Place of Use (item no. 8):
 - I added "G" for heating use in appropriate quarter-quarter squares. You do not need to describe acres, because irrigation included/under municipal use. Left "Total number of acres to be irrigated:" blank, because this item only applicable when irrigation is listed as a separate stand alone use.

Both uses proposed in the application, heating and municipal, require justification for the rate and/or volume to be permitted (as requested in my March 15, 2013 letter). Based on the information you've given me, I've worked through some limited tools the Department has available and feel there's enough information to justify the rates requested. However, volume information for the municipal use is still required (as discussed above). If you are unable to provide

adequate data as required, please consider seeking the assistance of a consultant. I've attached a list of consultants who've worked with the Department in the past on water right related matters.

I hope I've clearly outlined the remaining items/information needed before your application can be advertised. I'm emailing this request to both your personal and the applicant's email addresses to hopefully help expedite things, based on your desire to do so expressed to me Friday morning. If you have any questions on the required information, please feel free to reply to this email or call me at (208) 334-2190. I look forward to your response.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190 phone
(208)334-2348 fax

Grimm, Angie

From: Grimm, Angie
Sent: Wednesday, May 15, 2013 12:27 PM
To: 'SVCRD@frontiernet.net'
Cc: 'Ben Wellington'
Subject: Amended Water Right Application #65-23529
Attachments: 65_23529_DraftAmendedApplication.pdf; 65_23529_March15LtrWithMemo.pdf; Consultants.pdf

Mr. Wellington,

Good afternoon Ben! It's been a very busy couple of days, but I've finally had time to fully review the amended application you submitted last Friday (5/10) morning. Unfortunately, there are still a few questions remaining I need additional information/amendments for before the application can be advertized. I have attached a draft amended application you may wish to use to help expedite things as much as possible. This application form was drafted based on your most recent application and information I've gathered from you during our conversations. The attached form leaves blank spaces (highlighted) for additional information required as well as incorporates other amendments necessary. I've highlighted the blank spaces for quick reference. The following are the items that need to be/are addressed in the drafted amended application:

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 - Municipal use proposed is likely year round, like proposed heating use, assuming the facility is open year round. If this is not correct, please amend the attached draft application accordingly.
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3. Place of Use (item no. 8):
 - I added "G" for heating use in appropriate quarter-quarter squares. You do not need to describe acres, because irrigation included/under municipal use. Left "Total number of acres to be irrigated:" blank, because this item only applicable when irrigation is listed as a separate stand alone use.

Both uses proposed in the application, heating and municipal, require justification for the rate and/or volume to be permitted (as requested in my March 15, 2013 letter). Based on the information you've given me, I've worked through some limited tools the Department has available and feel there's enough information to justify the rates requested. However, volume information for the municipal use is still required (as discussed above). If you are unable to provide adequate data as required, please consider seeking the assistance of a consultant. I've attached a list of consultants who've worked with the Department in the past on water right related matters.

I hope I've clearly outlined the remaining items/information needed before your application can be advertised. I'm emailing this request to both your personal and the applicant's email addresses to hopefully help expedite things, based on your desire to do so expressed to me Friday morning. If you have any questions on the required information, please feel free to reply to this email or call me at (208) 334-2190. I look forward to your response.

Sincerely,

Angela M. Grimm, P.G.

Water Resource Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190 phone
(208)334-2348 fax

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 65-23529

1. Name of applicant(s) Southern Valley County Recreation District Phone 208-382-5136
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: PO Box 723 City Cascade
State ID Zip 83611 Email: SVCRD@frontiernet.net

2. Source of water supply Ground Water - Geothermal Well which is a tributary of N/A

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
14N	03E	36	2		NE	NE	Valley	Ground Water - Geothermal	

4. Water will be used for the following purposes:

Amount 1.4 cfs for Heating purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1.4 cfs/ af for Municipal purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 1.4 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Geothermal well w/ pump, 6 in discharge galvn. pipe to property for heating, municipal (recreation & other uses). Spent water discharged to existing ditch/irrigate.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is 12 inches; proposed depth of well is 177 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☒ Yes ☐ No

e. If well is already drilled, when? Aug 22, 1985; drilling firm Burns Well Drilling;
Well was drilled for (well owner) Boise Cascade Corporation; Drilling Permit No. 826205

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. Municipal for public recreation purposes by SVCRD, political subdivision of Idaho. Not applying for planned future growth/expansion rights.

d. Domestic; show number of households N/A

e. Other; describe fully. Heating and primarily non-consumptive use (except landscaping) for indoor pool and building est. 22k sq ft heating + swimming pool (est 48' x 82' x 9' filled every 8 hrs) & heat, hot tubs/spa, facility uses & landscape irrig.

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03E	36	G	G															
14N	03E	36	M	M															

Total number of acres to be irrigated: _____

- Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Decreed right 65-12755 for heating use part of yr from same well. Decreed right to be used in conjunction with this permit for year-round heating & municipal (recreational, ancillary facility and amenity uses, and season irrigation for landscaping up to 4.0 ac max).
- Who owns the property at the point of diversion? SVCRD
 - Who owns the land to be irrigated or place of use? SVCRD
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
- Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Development of State designated "Brownfield" property to create yr-round aquatic and recreational facility utilizing geothermal water from exisiting well for decreed right for heating and municipal (rec & facility uses & landscape irrigation). Total rate of flow not to exceed 625 gpm (1.4 cfs). Water quality monitored, used & discharged per IDEQ requirements. Additional potable water, if needed, to be provided by City of Cascade mun system. Irr/landscape use limited to spent geothermal water. Traditional mun. use for public park & rec & does not include rights for planned future expansion due to growth. Mun Use: total vol _____ af/yr, consumptive vol _____ af/yr, peak rate 1.4 cfs, avg rate _____ cfs. See attached
- Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
- MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Ben Wellington, Designated SVCRD Board Member
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ Receipt No. _____ Date _____



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

March 15, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
~~Interim~~ Director

SOUTHERN VALLEY COUNTY RECREATION DISTRICT
ATTN BEN WELLINGTON
PO BOX 723
CASCADE ID 83611

Re: Request for Amended Application for Permit No. 65-23529

Dear Mr. Wellington,

This office received your Application for Permit seeking a water right. Upon review of your application, there are a few areas of the application that need clarification. After our meeting March 8, 2013, I discussed your application and proposed project with my supervisor. I expressed to him your desire to file for municipal use, if possible, based on your understanding that municipal rights may have certain preference over other uses in the event of a priority call for delivery of water. He indicated that municipal use water rights are subject to curtailment in the event of a water call as are other uses such as irrigation, commercial, or recreation. He referenced the latest action in the Eastern Snake River Plain as an example of municipal rights potential curtailment to fulfill a water call.

It appears your entity, as a political subdivision, may be eligible to apply for a municipal water right per I.C. § 42-202B. However, your proposed project would not meet the Department's current policy regarding municipal use water rights per Administrative Memorandum Application Processing No. 18, issued October 19, 2009 (copy enclosed). Currently no other recreation districts within the state have municipal use water rights. The fact that your proposal doesn't fit into the current policy doesn't preclude you from filing for a municipal water right permit. However, considering no other recreation districts in the state have municipal use rights and having a municipal use right doesn't necessarily provide any advantages in the event of a water call, I'm not sure there is any benefit to having a municipal water right as opposed to a recreational and/or irrigation use right. Nevertheless, should you decide to pursue a municipal use water right, the heating use must be quantified as a separate use per I.C. § 42-202B(6). Information including rate and volume water requirements per IDAPA 37.03.08.040.05.d.i, system capacity and demand data, designated service area, and potentially more additional information will be needed to evaluate your proposed municipal use.

Based on our discussions, I advise you amend your application to propose heating, recreational, and irrigation uses for the proposed aquatic fitness center to be developed within the next five years. The heating use may describe both a rate of flow for filling the warm water pool and space heating of the building and hot water fixtures. The recreational use term should be used to describe the quantity of water for other water uses in the fitness center. Information must be provided justifying the heating and recreational rates requested. Irrigation use should be included if you plan to irrigate landscaping and/or lawn around the building. A rate of flow of up to 0.03 cfs per acre is allowable for proposed irrigation projects of no more than 5.0 acres. Should you require a rate in excess of the standard, please include information justifying a greater rate. The heating use proposed should be equal to or in excess of all other uses combined to comply with I.C. § 42-233 or a waiver request should be submitted along with the application for permit.

Southern Valley County Recreation District
March 15, 2013
Page 2 of 2

I believe use of the geothermal water for research as described to me during our meeting would be difficult if not impossible to quantify in terms of a unique beneficial use should a permit and subsequent licensed be issued. Currently the Department does not have "research" as a water use for water rights within the state. As such, I do not recommend listing research as a unique use on your application. However, if you would like the water right record to reflect this use, please submit information specifically explaining the research related use you'd like documented and perhaps the Department can include such language in a condition of approval clarifying the uses occurring under the water right permit.

In addition to amendment(s) regarding use(s) (item no. 4 and no. 5) outlined above, please submit an amended application to address the following:

- Location of point(s) of diversion (item no. 3). Point of diversion (POD) describing the location of a proposed point of diversion needs to be specified to the 40 acre-tract. The geothermal well is located in the NE NE of Section 36 T14N R3E per overlapping right 65-12755.
- Proposed diverting works (item no. 6) and/or description of proposed uses (item no. 7). Please describe the type and size of devices to be used for diversion of water to the beneficial uses proposed. This information should be detailed enough to provide justification of the quantity of water requested for each beneficial use proposed.
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Please submit an amended application, including information justifying rate and/or uses as discussed above, to allow for further processing. I recommend you disregard the draft amended application I sent in my letter dated February 14, 2013 as it was drafted based on my limited information prior to our meeting. **Your response, or a request for more time to make your response, must be received within sixty (60) days from the date of this mailing. The application will be voided without a timely written reply.**

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter. I look forward to your response.

Sincerely,



Angela M. Grimm, P.G.
Water Resource Agent, Sr.

P.S. Water supply bank staff indicated to me as long as a right is not rented from the bank, it's a simple and relatively quick process to release it. However, if the right is rented from the bank, the right owner cannot remove the right (or portion being rented) from the bank until the rental contract has expired. Right now, right 65-12755 is not being rented.

Enclosure(s)

ADMINISTRATOR'S MEMORANDUM

To: Regional Offices
Water Allocation Bureau

App. Processing No. 18
Licensing No. 1

From: Jeff Peppersack 

Re: **PROCESSING APPLICATIONS AND AMENDMENTS AND DETERMINING
BENEFICIAL USE FOR NON-RAFN MUNICIPAL WATER RIGHTS**

Date: October 19, 2009

This memorandum supersedes Application Processing Memo No. 18 dated November 5, 1979 and Licensing Memo No. 1 dated April 7, 1975.

The 1996 Municipal Water Rights Act recognized common law practices (case law) for growing communities to provide for a municipal water supply for reasonably anticipated future needs (RAFN). There are times when a municipal provider will choose to file an application to appropriate water solely for water needed in the short-term without the burden of demonstrating future needs over an established planning horizon. This memorandum provides guidance to Department staff when permitting and determining the extent of beneficial use for licensing purposes for non-RAFN municipal water right permits.

This guidance provided in this memo pertains to the review and processing of permits to be issued after the date of this memorandum. Existing permits issued prior to the date of this memorandum should be handled on a case-by-case basis when determining beneficial use for licensing purposes. Determination of beneficial use for permits pre-dating this memorandum may depend on the date the permit was issued in relation to the 1996 Municipal Water Rights Act and/or any specific intent to limit the beneficial use that could be developed under the permit at the time it was issued.

PAST DEPARTMENT POLICY AND PRACTICE

Prior to the 1996 Municipal Water Rights Act, the Department acknowledged the need for some flexibility in licensing water rights due to the growth of municipalities and other small communities under two concepts as described below.

Installed Capacity for Municipalities

An incorporated city or a municipal provider serving an incorporated city could perfect a water right based on the maximum instantaneous diversion rate for the pumping system that was installed and operational during the development period of the permit (limited by the permitted amount), even if the city did not beneficially use the entire capacity during the development period of the permit. Note that even though a municipal system may have included multiple wells and pumps, the Department typically licensed a water right based on the diversion capacity of an individual well and pump listed as a single point of diversion on the water right. The Department typically did not review the overall

system capacity and evaluate the new well as an additional increment of diversion capacity or beneficial use under the entire system due to that point of diversion.

When licensing a municipal water right, the Department did not include an annual volume limit on the license. In addition, the place of use was described as the city limits and was allowed to change as the city limits expanded. A city's water use under a license could expand over time as demand for water increased by pumping the maximum rate over longer periods that may have included storage tanks to provide for higher peak demands.

Stub-in Practice for Subdivisions

For unincorporated cities and other small communities that did not qualify as municipalities, and therefore could not obtain a municipal water right, the Department could only license water rights for domestic and associated irrigation, commercial and other uses based on actual diversion and application of the water to beneficial use accomplished during the authorized development period of the permit. The Department provided some flexibility in determining beneficial use for domestic purposes in subdivision developments under the "stub-in" practice. Under the "stub-in" practice, the Department issued water right licenses for domestic purposes in subdivisions if the water diversion and distribution systems were in place, including a service line to each lot, even if water had not yet been put to beneficial use on all the buildable lots. The Department's stub-in practice recognized that the full build out of a subdivision can take longer than the number of years the Department could authorize for completion of a water appropriation project. By issuing a water right license for domestic uses that were yet to be completed, the Department avoided a parade of individual water right filings as each lot was sold. The stub-in practice also helped subdivision developers obtain financing by providing some assurance to lending institutions that a development project would not fail due to water right availability issues that may have arisen as the individual lots were built out over time. The Department's stub-in practice was applied to each home that would individually qualify as a domestic use as defined in Section 42-111(1)(a), Idaho Code.

The stub-in practice was not applied in all subdivision development situations. For example, suppose the Department issued a permit for development of 100 homes in a subdivision and proof was submitted for 100 homes based on the stub-in practice. Many years later, the Department completes an exam and finds only 20 homes were built and using water. The remaining lots remained vacant and undeveloped except for the stubbed-in service line. The Department would only issue a license based on the actual diversion and use of water because sufficient time would have passed to complete development of the subdivision.

1996 MUNICIPAL WATER RIGHTS ACT

The 1996 Municipal Water Rights Act allows municipal providers to obtain water rights for RAFN. Full completion of diversion works and beneficial use is not required during the development period of the permit, under specific conditions (see Application Processing Memo No. 63). The Municipal Water Rights Act also expanded the types of entities that can qualify for municipal water rights and defined expanding service areas for those entities. See Section 42-202B, Idaho Code for definitions.

To appropriate water for RAFN, the municipal provider carries an extra evidentiary burden to establish a planning horizon and to submit population and other planning data in support of the anticipated needs within the planning horizon. If a municipal provider seeks a water right for RAFN, the planning horizon and supporting data cannot be inconsistent with its comprehensive land use plans.

Furthermore, water rights for RAFN cannot be granted to a municipal provider in areas overlapped by conflicting comprehensive land use plans.

Municipal providers can receive the full benefit of the 1996 Municipal Water Rights Act if they file an application for RAFN and demonstrate future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. The intent of a municipal provider to seek water for RAFN must be documented with the application for municipal use.

There are times when a municipal provider will choose to file an application to appropriate water solely for use to meet needs in the short-term (limited up to 5 years with possible extension up to an additional 5 years pursuant to Section 42-204, Idaho Code) without the burden of demonstrating future needs over an established planning horizon. The Department considers the definitions for “municipality,” “municipal provider,” “municipal purposes,” and “service area” from the 1996 Municipal Water Rights Act to apply to non-RAFN permits. The following sections provide guidance to Department staff when permitting and determining the extent of beneficial use for licensing purposes for non-RAFN municipal water right permits. Note that some small community water systems (less than 10 homes) do not qualify as municipal providers and would still be subject to licensing under the past stub-in practices described above as a domestic use.

INCORPORATED CITIES AND MUNICIPAL PROVIDERS SERVING INCORPORATED CITIES

Incorporated cities, or municipal providers serving incorporated cities (“city” or “cities”) have historically benefitted from common law practices allowing for appropriation of water and acquisition of water rights for long-term growth. Municipal providers in this category may include a city incorporated under Section 50-102, Idaho Code, an entity regulated by the Public Utilities Commission serving water to an incorporated city, or a Water District or Water and Sewer District established pursuant to Chapter 32, Title 42, Idaho Code serving an incorporated city. The 1996 Municipal Water Rights Act does not prohibit the Department from issuing a non-RAFN permit or license to a city without a volume limitation. Issuing a permit and license without a volume limitation would provide for some limited growth, consistent with pre-existing common law practices for municipalities.

Application for Permit

An applicant for a non-RAFN municipal application must demonstrate short-term needs to justify the amount of water required for appropriation. This information should be requested pursuant to the additional information requirements provided under Water Appropriation Rule 40.05.d.i:

Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

The applicant must also demonstrate that the new appropriation is not intended for RAFN by providing total system capacity and existing demand within the municipal service area and comparing that capacity and demand to the entire municipal portfolio of water rights. If existing municipal water rights exceed existing demand and short-term needs, then an application for RAFN would be necessary for an additional appropriation of water. If the applicant desires additional points of diversion without

the need for a new appropriation of water, then an application for transfer to change existing rights would be appropriate.

An applicant for a permit not proposing municipal use for RAFN cannot later amend the application to gain the benefits of a RAFN permit without first demonstrating future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. Pursuant to Section 42-211, Idaho Code, an amendment to an application to gain the benefits of a RAFN permit shall be republished and the priority date shall be changed to the date of the application for amendment.

Permit

The permit should not be limited by volume except under circumstances where a volume limitation is necessary to protect the water source or, in the case of an amendment of permit, when the original permit was issued or intended for a use other than municipal. The rate of flow must be reasonable when considered against the water flows available from the source (e.g., it may not be in the public interest to dewater a stream to satisfy the municipal needs). The place of use can be described generally for the service area as defined under Section 42-202B, Idaho Code.

A non-RAFN application for municipal use that includes additional rate justified for fire protection purposes should not be permitted for that additional rate under a municipal use, particularly where the applicant has not sought water for RAFN and offered no evidence to support the future appropriation and use of additional water. Doing so would allow the additional rate to be used for flows that may be required for future long-term growth of the municipality. Additional rate solely for fire protection should be listed as a separate use on the water right or permit to ensure that the rate, if approved, does not create a de facto water right for RAFN.¹

As an example, suppose an application for permit is submitted by a municipality for a non-RAFN municipal use and the application indicates that 3 cfs is required for the regular and continuous needs of the city and an additional 7 cfs is required to provide water for fire protection on an as-needed basis. The Department should not issue a permit for municipal use for 10 cfs, which would allow for additional rate to be used by the city in the future to meet the regular and continuous needs of the city. Instead, if the application is otherwise approvable, the Department should issue a permit for municipal use in the amount of 3 cfs and for fire protection in the amount of 7 cfs.

The complexity of some municipal systems makes it difficult to ascertain, at the time of a field exam, if an additional increment of beneficial use has been developed pursuant to a permit. To facilitate future licensing, the permit should include a condition requiring the permit holder to submit a report in connection with proof of beneficial use that describes how the water diverted under the permit provides an additional increment of capacity for the municipal water system as opposed to an alternate point of diversion for existing municipal water rights. In addition, the report should describe how the beneficial use intended under the permit (i.e. the reason used to justify the new appropriation of water) was accomplished.

¹ Permits and licenses issued for fire protection purposes to fight an existing fire do not require a volume limitation since the volume would be variable and unpredictable for firefighting purposes. A volume limitation is required for fire protection storage where water is stored to fight a future fire.

A permit issued to a municipal provider that does not provide for RAFN cannot be later amended to gain the benefits of an RAFN permit.

License

When licensing a permit for municipal use for an entity serving an incorporated city, the extent of beneficial use established under a non-RAFN permit should be determined based on the installed capacity developed and operational during the development period of the permit and cannot exceed the amount permitted. However, beneficial use may be further limited if the intended use described in the application as justification for the permit was not accomplished. The license should not be limited by volume except under circumstances where the permit was limited for reasons described above. The place of use listed on the license can be described generally for the service area as defined under Section 42-202B, Idaho Code.

When determining the installed capacity for licensing purposes, the entire municipal portfolio of water rights must be considered to determine the actual increase in installed capacity provided by the permit for the municipal use. Note that the installed capacity of the system is not necessarily the sum of the individual capacities for each pump or diversion into the system.

In situations where a new point of diversion authorized under the permit is developed, but an additional increment of capacity or beneficial use is not developed for the municipal system, a license may be issued limiting the diversion rate in combination with other rights in the municipal system to the existing capacity of the municipal system.

OTHER MUNICIPAL PROVIDERS

Municipal providers that do not serve incorporated cities can receive the full benefit of the 1996 Municipal Water Rights Act if they file an application for RAFN, provide qualifications as a municipal provider, and demonstrate future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. For such municipal providers, if they choose not to file an application for an RAFN permit, the ability of the municipal provider to acquire a water right for municipal purposes is limited to the amount that can be diverted and beneficially used based on development during the period authorized under a non-RAFN permit, as described below.

Application for Permit

For an application for permit seeking to divert water for domestic use or some combination of domestic and other uses for a subdivision or other multiple ownership service area, the use would be more properly described as municipal use within the service area if the uses fall under the definition of municipal purposes and the applicant would also qualify as a municipal provider pursuant to Section 42-202B, Idaho Code. An exception would be the use of water for fire protection. Additional rate for fire protection should be listed as a separate use to ensure that the rate, if approved, does not become part of the flows under the permit that may be required for future use of the municipal provider (see fire protection discussion above for permits under Incorporated Cities).

An applicant for a non-RAFN municipal application must demonstrate short-term needs to justify the amount of water required for appropriation. This information should be requested pursuant to the additional information requirements provided under Water Appropriation Rule 40.05.d.i:

Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

The applicant must also demonstrate that the new appropriation is not intended for RAFN by providing total system capacity and existing demand within the municipal service area and comparing to the entire municipal portfolio of water rights. If existing municipal water rights exceed existing demand and short-term needs, then an application for RAFN would be necessary for an additional appropriation of water. If the applicant desires additional points of diversion without the need for a new appropriation of water, then an application for transfer to change existing rights would be appropriate.

An applicant for a permit not proposing municipal use for RAFN cannot later amend the application to gain the benefits of a RAFN permit without first providing qualifications as a municipal provider and demonstrating future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. Pursuant to Section 42-211, Idaho Code, an amendment to an application to gain the benefits of a RAFN permit shall be republished and the priority date shall be changed to the date of the application for amendment.

Permit

The permit, if approved, shall include both a rate of flow and an annual volume limitation for the municipal use based on the amount justified. As described above, additional rate justified solely for fire protection should be listed as a separate use on the permit to ensure that the rate, if approved, does not create a de facto water right for RAFN.¹ The place of use can be described generally for the service area as defined under Section 42-202B, Idaho Code.

A permit issued to a municipal provider that does not provide for RAFN cannot be later amended to gain the benefits of an RAFN permit.

License

When licensing a permit for municipal use for a municipal provider that does not serve an incorporated city, the extent of beneficial use established under a non-RAFN permit should be described with both a rate of flow and a volume limitation.² Beneficial use shall be based on development within the service area during the authorized development period of the permit and shall include stubbed-in lots for domestic purposes (i.e. a service line is available for each lot to hook up to the municipal delivery system). The rate should be determined based on the installed capacity if reasonable to serve the needs

² Beneficial Use Rule 35.01 j indicates that "[t]he field examiner does not need to show total volume of water for municipal and fire protection uses on the field report unless the project works provide for storage of water." Although not required on the field exam, any license issued to a municipal provider that does not serve an incorporated city for a non-RAFN municipal use shall include an annual volume limitation based on the amount justified and approved under the permit and beneficially used as described in this memorandum.

within the established service area.³ The annual volume limitation should be determined based on the water requirements for the established service area (including stub-ins). The place of use listed on the license can be described generally for the service area as defined under Section 42-202B, Idaho Code.

As described above for municipal providers serving incorporated cities, when determining the installed capacity for licensing purposes, the entire municipal portfolio of water rights must be considered to determine the actual increase in installed capacity provided by the permit for the municipal use.

In situations where a new point of diversion authorized under the permit is developed, but an additional increment of capacity or beneficial use is not developed for the municipal system, a license may be issued limiting the diversion rate in combination with other rights in the municipal system to the existing capacity of the municipal system.

³ The installed capacity may not represent beneficial use if significantly greater than the diversion required to meet the needs of the developed service area (including stub-ins), even if it does not exceed the amount permitted. For example, if fewer lots are stubbed-in than permitted, the required diversion rate would likely be smaller than the permitted rate.

August 2009

CONSULTANTS

The following firms have worked with the Idaho Department of Water Resources (IDWR) on water right related matters. Inclusion on this list does not constitute an endorsement or guarantee by IDWR for any work done by any consultant. Please feel free to consult any additional resources for references and other details.

AMERICAN GEO TECHNICS

5360 Chinden Blvd.
Boise, ID 83714
208-658-8700

BROCKWAY ENGINEERING PLLC

2016 N. Washington Street, Suite 4
Twin Falls, ID 83301
208-736-8543

CLAIBORN & WAITE CONSULTING

120 N. Curtis Road
Boise, ID 83706
208-376-8555

CSHQA CIVIL ENGINEERING

250 S. 5th Street
Boise, ID 83702
208-343-4635

DC CONSULTANTS

156 SE 1ST Avenue
Ontario, OR 97914
541-889-6160

ERO RESOURCES CORP

3314 Grace Street
Boise, ID 83703-5836
208-373-7983

HOLLADAY ENGINEERING

PO Box 235
Payette, ID 83661
208-642-3304

HYDRO LOGIC INC.

1002 W. Franklin Street
Boise, ID 83702
208-342-8369

IDAHO WATER ENGINEERING

David R Tuthill, Jr. PhD, PE
2918 N El Rancho Place
Boise, ID 83704
208-378-1513 (office)
208-870-0345 (cell)

KELLER ASSOCIATES INC

131 SW 5th Ave. Suite B
Meridian, ID 83642
208-288-1992

MILLENNIUM SCIENCE & ENGINEERING, INC.

1555 Shoreline Drive, Suite 150
Boise, ID 83702
208-345-8292

PINNACLE ENGINEERS INC.

12552 W. Executive Drive, Suite B
Boise, ID 83713
208-887-7760

QUADRANT CONSULTING, INC.

1904 W. Overland Road
Boise, ID 83705
208-342-0091

SPF WATER ENGINEERING LLC

300 E Mallard Dr, Suite 350
Boise ID 83706
208-383-4140

TOOTHMAN-ORTON ENGINEERING

9777 Chinden Blvd.

Boise, ID 83714

208-323-2288

URANGA HYDRO LOGIC

J. Matt Uranga

1216 N 22nd St

Boise ID 83702

(208) 629-8221 phone / fax

(208) 602-9954 cell

VANDERSTELT, DARWIN

16931 Star Road

Nampa, ID 83687

208-465-9496

W & H PACIFIC

3501 W. Elder St., Ste 200

Boise, ID 83705

208-342-5400



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

March 15, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
~~Interim~~ Director

SOUTHERN VALLEY COUNTY RECREATION DISTRICT
ATTN BEN WELLINGTON
PO BOX 723
CASCADE ID 83611

Re: Request for Amended Application for Permit No. 65-23529

Dear Mr. Wellington,

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Southern Valley County Recreation District
March 15, 2013
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Please submit an amended application, including information justifying rate and/or uses as discussed above, to allow for further processing. I recommend you disregard the draft amended application I sent in my letter dated February 14, 2013 as it was drafted based on my limited information prior to our meeting. **Your response, or a request for more time to make your response, must be received within sixty (60) days from the date of this mailing. The application will be voided without a timely written reply.**

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter. I look forward to your response.

Sincerely,



Angela M. Grimm, P.G.
Water Resource Agent, Sr.

P.S. Water supply bank staff indicated to me as long as a right is not rented from the bank, it's a simple and relatively quick process to release it. However, if the right is rented from the bank, the right owner cannot remove the right (or portion being rented) from the bank until the rental contract has expired. Right now, right 65-12755 is not being rented.

Enclosure(s)

ADMINISTRATOR'S MEMORANDUM

To: Regional Offices
Water Allocation Bureau

App. Processing No. 18
Licensing No. 1

From: Jeff Peppersack 

Re: **PROCESSING APPLICATIONS AND AMENDMENTS AND DETERMINING
BENEFICIAL USE FOR NON-RAFN MUNICIPAL WATER RIGHTS**

Date: October 19, 2009

This memorandum supersedes Application Processing Memo No. 18 dated November 5, 1979 and Licensing Memo No. 1 dated April 7, 1975.

The 1996 Municipal Water Rights Act recognized common law practices (case law) for growing communities to provide for a municipal water supply for reasonably anticipated future needs (RAFN). There are times when a municipal provider will choose to file an application to appropriate water solely for water needed in the short-term without the burden of demonstrating future needs over an established planning horizon. This memorandum provides guidance to Department staff when permitting and determining the extent of beneficial use for licensing purposes for non-RAFN municipal water right permits.

This guidance provided in this memo pertains to the review and processing of permits to be issued after the date of this memorandum. Existing permits issued prior to the date of this memorandum should be handled on a case-by-case basis when determining beneficial use for licensing purposes. Determination of beneficial use for permits pre-dating this memorandum may depend on the date the permit was issued in relation to the 1996 Municipal Water Rights Act and/or any specific intent to limit the beneficial use that could be developed under the permit at the time it was issued.

PAST DEPARTMENT POLICY AND PRACTICE

Prior to the 1996 Municipal Water Rights Act, the Department acknowledged the need for some flexibility in licensing water rights due to the growth of municipalities and other small communities under two concepts as described below.

Installed Capacity for Municipalities

An incorporated city or a municipal provider serving an incorporated city could perfect a water right based on the maximum instantaneous diversion rate for the pumping system that was installed and operational during the development period of the permit (limited by the permitted amount), even if the city did not beneficially use the entire capacity during the development period of the permit. Note that even though a municipal system may have included multiple wells and pumps, the Department typically licensed a water right based on the diversion capacity of an individual well and pump listed as a single point of diversion on the water right. The Department typically did not review the overall

system capacity and evaluate the new well as an additional increment of diversion capacity or beneficial use under the entire system due to that point of diversion.

When licensing a municipal water right, the Department did not include an annual volume limit on the license. In addition, the place of use was described as the city limits and was allowed to change as the city limits expanded. A city's water use under a license could expand over time as demand for water increased by pumping the maximum rate over longer periods that may have included storage tanks to provide for higher peak demands.

Stub-in Practice for Subdivisions

For unincorporated cities and other small communities that did not qualify as municipalities, and therefore could not obtain a municipal water right, the Department could only license water rights for domestic and associated irrigation, commercial and other uses based on actual diversion and application of the water to beneficial use accomplished during the authorized development period of the permit. The Department provided some flexibility in determining beneficial use for domestic purposes in subdivision developments under the "stub-in" practice. Under the "stub-in" practice, the Department issued water right licenses for domestic purposes in subdivisions if the water diversion and distribution systems were in place, including a service line to each lot, even if water had not yet been put to beneficial use on all the buildable lots. The Department's stub-in practice recognized that the full build out of a subdivision can take longer than the number of years the Department could authorize for completion of a water appropriation project. By issuing a water right license for domestic uses that were yet to be completed, the Department avoided a parade of individual water right filings as each lot was sold. The stub-in practice also helped subdivision developers obtain financing by providing some assurance to lending institutions that a development project would not fail due to water right availability issues that may have arisen as the individual lots were built out over time. The Department's stub-in practice was applied to each home that would individually qualify as a domestic use as defined in Section 42-111(1)(a), Idaho Code.

The stub-in practice was not applied in all subdivision development situations. For example, suppose the Department issued a permit for development of 100 homes in a subdivision and proof was submitted for 100 homes based on the stub-in practice. Many years later, the Department completes an exam and finds only 20 homes were built and using water. The remaining lots remained vacant and undeveloped except for the stubbed-in service line. The Department would only issue a license based on the actual diversion and use of water because sufficient time would have passed to complete development of the subdivision.

1996 MUNICIPAL WATER RIGHTS ACT

The 1996 Municipal Water Rights Act allows municipal providers to obtain water rights for RAFN. Full completion of diversion works and beneficial use is not required during the development period of the permit, under specific conditions (see Application Processing Memo No. 63). The Municipal Water Rights Act also expanded the types of entities that can qualify for municipal water rights and defined expanding service areas for those entities. See Section 42-202B, Idaho Code for definitions.

To appropriate water for RAFN, the municipal provider carries an extra evidentiary burden to establish a planning horizon and to submit population and other planning data in support of the anticipated needs within the planning horizon. If a municipal provider seeks a water right for RAFN, the planning horizon and supporting data cannot be inconsistent with its comprehensive land use plans.

Furthermore, water rights for RAFN cannot be granted to a municipal provider in areas overlapped by conflicting comprehensive land use plans.

Municipal providers can receive the full benefit of the 1996 Municipal Water Rights Act if they file an application for RAFN and demonstrate future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. The intent of a municipal provider to seek water for RAFN must be documented with the application for municipal use.

There are times when a municipal provider will choose to file an application to appropriate water solely for use to meet needs in the short-term (limited up to 5 years with possible extension up to an additional 5 years pursuant to Section 42-204, Idaho Code) without the burden of demonstrating future needs over an established planning horizon. The Department considers the definitions for “municipality,” “municipal provider,” “municipal purposes,” and “service area” from the 1996 Municipal Water Rights Act to apply to non-RAFN permits. The following sections provide guidance to Department staff when permitting and determining the extent of beneficial use for licensing purposes for non-RAFN municipal water right permits. Note that some small community water systems (less than 10 homes) do not qualify as municipal providers and would still be subject to licensing under the past stub-in practices described above as a domestic use.

INCORPORATED CITIES AND MUNICIPAL PROVIDERS SERVING INCORPORATED CITIES

Incorporated cities, or municipal providers serving incorporated cities (“city” or “cities”) have historically benefitted from common law practices allowing for appropriation of water and acquisition of water rights for long-term growth. Municipal providers in this category may include a city incorporated under Section 50-102, Idaho Code, an entity regulated by the Public Utilities Commission serving water to an incorporated city, or a Water District or Water and Sewer District established pursuant to Chapter 32, Title 42, Idaho Code serving an incorporated city. The 1996 Municipal Water Rights Act does not prohibit the Department from issuing a non-RAFN permit or license to a city without a volume limitation. Issuing a permit and license without a volume limitation would provide for some limited growth, consistent with pre-existing common law practices for municipalities.

Application for Permit

An applicant for a non-RAFN municipal application must demonstrate short-term needs to justify the amount of water required for appropriation. This information should be requested pursuant to the additional information requirements provided under Water Appropriation Rule 40.05.d.i:

Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

The applicant must also demonstrate that the new appropriation is not intended for RAFN by providing total system capacity and existing demand within the municipal service area and comparing that capacity and demand to the entire municipal portfolio of water rights. If existing municipal water rights exceed existing demand and short-term needs, then an application for RAFN would be necessary for an additional appropriation of water. If the applicant desires additional points of diversion without

the need for a new appropriation of water, then an application for transfer to change existing rights would be appropriate.

An applicant for a permit not proposing municipal use for RAFN cannot later amend the application to gain the benefits of a RAFN permit without first demonstrating future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. Pursuant to Section 42-211, Idaho Code, an amendment to an application to gain the benefits of a RAFN permit shall be republished and the priority date shall be changed to the date of the application for amendment.

Permit

The permit should not be limited by volume except under circumstances where a volume limitation is necessary to protect the water source or, in the case of an amendment of permit, when the original permit was issued or intended for a use other than municipal. The rate of flow must be reasonable when considered against the water flows available from the source (e.g., it may not be in the public interest to dewater a stream to satisfy the municipal needs). The place of use can be described generally for the service area as defined under Section 42-202B, Idaho Code.

A non-RAFN application for municipal use that includes additional rate justified for fire protection purposes should not be permitted for that additional rate under a municipal use, particularly where the applicant has not sought water for RAFN and offered no evidence to support the future appropriation and use of additional water. Doing so would allow the additional rate to be used for flows that may be required for future long-term growth of the municipality. Additional rate solely for fire protection should be listed as a separate use on the water right or permit to ensure that the rate, if approved, does not create a de facto water right for RAFN.¹

As an example, suppose an application for permit is submitted by a municipality for a non-RAFN municipal use and the application indicates that 3 cfs is required for the regular and continuous needs of the city and an additional 7 cfs is required to provide water for fire protection on an as-needed basis. The Department should not issue a permit for municipal use for 10 cfs, which would allow for additional rate to be used by the city in the future to meet the regular and continuous needs of the city. Instead, if the application is otherwise approvable, the Department should issue a permit for municipal use in the amount of 3 cfs and for fire protection in the amount of 7 cfs.

The complexity of some municipal systems makes it difficult to ascertain, at the time of a field exam, if an additional increment of beneficial use has been developed pursuant to a permit. To facilitate future licensing, the permit should include a condition requiring the permit holder to submit a report in connection with proof of beneficial use that describes how the water diverted under the permit provides an additional increment of capacity for the municipal water system as opposed to an alternate point of diversion for existing municipal water rights. In addition, the report should describe how the beneficial use intended under the permit (i.e. the reason used to justify the new appropriation of water) was accomplished.

¹ Permits and licenses issued for fire protection purposes to fight an existing fire do not require a volume limitation since the volume would be variable and unpredictable for firefighting purposes. A volume limitation is required for fire protection storage where water is stored to fight a future fire.

A permit issued to a municipal provider that does not provide for RAFN cannot be later amended to gain the benefits of an RAFN permit.

License

When licensing a permit for municipal use for an entity serving an incorporated city, the extent of beneficial use established under a non-RAFN permit should be determined based on the installed capacity developed and operational during the development period of the permit and cannot exceed the amount permitted. However, beneficial use may be further limited if the intended use described in the application as justification for the permit was not accomplished. The license should not be limited by volume except under circumstances where the permit was limited for reasons described above. The place of use listed on the license can be described generally for the service area as defined under Section 42-202B, Idaho Code.

When determining the installed capacity for licensing purposes, the entire municipal portfolio of water rights must be considered to determine the actual increase in installed capacity provided by the permit for the municipal use. Note that the installed capacity of the system is not necessarily the sum of the individual capacities for each pump or diversion into the system.

In situations where a new point of diversion authorized under the permit is developed, but an additional increment of capacity or beneficial use is not developed for the municipal system, a license may be issued limiting the diversion rate in combination with other rights in the municipal system to the existing capacity of the municipal system.

OTHER MUNICIPAL PROVIDERS

Municipal providers that do not serve incorporated cities can receive the full benefit of the 1996 Municipal Water Rights Act if they file an application for RAFN, provide qualifications as a municipal provider, and demonstrate future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. For such municipal providers, if they choose not to file an application for an RAFN permit, the ability of the municipal provider to acquire a water right for municipal purposes is limited to the amount that can be diverted and beneficially used based on development during the period authorized under a non-RAFN permit, as described below.

Application for Permit

For an application for permit seeking to divert water for domestic use or some combination of domestic and other uses for a subdivision or other multiple ownership service area, the use would be more properly described as municipal use within the service area if the uses fall under the definition of municipal purposes and the applicant would also qualify as a municipal provider pursuant to Section 42-202B, Idaho Code. An exception would be the use of water for fire protection. Additional rate for fire protection should be listed as a separate use to ensure that the rate, if approved, does not become part of the flows under the permit that may be required for future use of the municipal provider (see fire protection discussion above for permits under Incorporated Cities).

An applicant for a non-RAFN municipal application must demonstrate short-term needs to justify the amount of water required for appropriation. This information should be requested pursuant to the additional information requirements provided under Water Appropriation Rule 40.05.d.i:

Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

The applicant must also demonstrate that the new appropriation is not intended for RAFN by providing total system capacity and existing demand within the municipal service area and comparing to the entire municipal portfolio of water rights. If existing municipal water rights exceed existing demand and short-term needs, then an application for RAFN would be necessary for an additional appropriation of water. If the applicant desires additional points of diversion without the need for a new appropriation of water, then an application for transfer to change existing rights would be appropriate.

An applicant for a permit not proposing municipal use for RAFN cannot later amend the application to gain the benefits of a RAFN permit without first providing qualifications as a municipal provider and demonstrating future needs over an established planning horizon consistent with requirements in Chapter 2, Title 42, Idaho Code. Pursuant to Section 42-211, Idaho Code, an amendment to an application to gain the benefits of a RAFN permit shall be republished and the priority date shall be changed to the date of the application for amendment.

Permit

The permit, if approved, shall include both a rate of flow and an annual volume limitation for the municipal use based on the amount justified. As described above, additional rate justified solely for fire protection should be listed as a separate use on the permit to ensure that the rate, if approved, does not create a de facto water right for RAFN.¹ The place of use can be described generally for the service area as defined under Section 42-202B, Idaho Code.

A permit issued to a municipal provider that does not provide for RAFN cannot be later amended to gain the benefits of an RAFN permit.

License

When licensing a permit for municipal use for a municipal provider that does not serve an incorporated city, the extent of beneficial use established under a non-RAFN permit should be described with both a rate of flow and a volume limitation.² Beneficial use shall be based on development within the service area during the authorized development period of the permit and shall include stubbed-in lots for domestic purposes (i.e. a service line is available for each lot to hook up to the municipal delivery system). The rate should be determined based on the installed capacity if reasonable to serve the needs

² Beneficial Use Rule 35.01.j indicates that "[t]he field examiner does not need to show total volume of water for municipal and fire protection uses on the field report unless the project works provide for storage of water." Although not required on the field exam, any license issued to a municipal provider that does not serve an incorporated city for a non-RAFN municipal use shall include an annual volume limitation based on the amount justified and approved under the permit and beneficially used as described in this memorandum.

within the established service area.³ The annual volume limitation should be determined based on the water requirements for the established service area (including stub-ins). The place of use listed on the license can be described generally for the service area as defined under Section 42-202B, Idaho Code.

As described above for municipal providers serving incorporated cities, when determining the installed capacity for licensing purposes, the entire municipal portfolio of water rights must be considered to determine the actual increase in installed capacity provided by the permit for the municipal use.

In situations where a new point of diversion authorized under the permit is developed, but an additional increment of capacity or beneficial use is not developed for the municipal system, a license may be issued limiting the diversion rate in combination with other rights in the municipal system to the existing capacity of the municipal system.

³ The installed capacity may not represent beneficial use if significantly greater than the diversion required to meet the needs of the developed service area (including stub-ins), even if it does not exceed the amount permitted. For example, if fewer lots are stubbed-in than permitted, the required diversion rate would likely be smaller than the permitted rate.

Grimm, Angie

From: Ben Wellington [benhere@cableone.net]
Sent: Wednesday, May 01, 2013 5:02 PM
To: Grimm, Angie
Subject: Amended Water Right Application #65-23529

Angela Grimm, P.G., I have the Amended Application for Permit signed and ready for delivery to your office. I hope to be in the Boise Valley next week and will call prior to coming down to set up a time that maybe we can meet for a few minutes if you are available.

Thank You,

Sincerely,

Ben Wellington

Southern Valley County Recreation District

Grimm, Angie

From: Ben Wellington [benhere@cableone.net]
Sent: Monday, March 25, 2013 4:43 PM
To: Grimm, Angie
Subject: Re: info

Sorry for the confusion. P.O. Box 723 is for Southern Valley County Recreation District. I was unaware that the SVCRD Office had received your correspondence.
Please continue to use that address for SVCRD communication.
I will forward your information to Mr. Arment.
Thank You for your patience.
Again, sorry for the confusion. I will be in communication with you soon.
Sincerely,
Ben Wellington

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

From: Grimm, Angie
To: Ben Wellington
Sent: Monday, March 25, 2013 2:23 PM
Subject: RE: info

Ben,

Is PO Box 713 the applicant (Southern Valley County Recreation District) address you wish to have all correspondence related to this water right permit application sent to? If so, please submit documentation to that affect in writing and I will update the record accordingly. I've scanned and attached a copy of my letter to this response email.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190 phone
(208)334-2348 fax

From: Ben Wellington [mailto:benhere@cableone.net]
Sent: Monday, March 25, 2013 1:33 PM
To: Grimm, Angie
Subject: Re: info

Angie Grimm, my P.O. Box is 713, Cascade, Idaho 83611. Please scan and e-mail to benhere@cascaderealestate.com or benhere@cableone.net.
Thank YOU very much,
Sincerely,
Ben Wellington

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

From: Grimm, Angie
To: Ben Wellington
Sent: Monday, March 25, 2013 1:26 PM
Subject: RE: info

Ben,

I wrote a letter in response to the email I received from Ken Arment on March 11, 2013. I mailed the letter on March 15, 2013 to your attention at the address on the application (PO Box 723 Cascade ID 83611). Please let me know if you do not receive it by week's end and I will attempt to mail it again or scan and email it.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208)334-2190 phone
(208)334-2348 fax

From: Ben Wellington [<mailto:benhere@cableone.net>]

Sent: Monday, March 25, 2013 1:22 PM

To: Grimm, Angie

Subject: info

Angie Grimm, just wanted to check in with you for an update on where we are with the Southern Valley County Recreational District geothermal water right??

Please respond when you have time.

Thank You,

Sincerely,.
Ben Wellington
Board Member

Grimm, Angie

From: Ken Arment [kennetharment@gmail.com]
Sent: Monday, March 11, 2013 3:53 PM
To: Grimm, Angie
Cc: Ben Wellington
Subject: SVC RD Water Right Application and Background

Angie:

Thank you for making time and meeting with me and Ben Wellington, District Board Member, with regard to the Southern Valley County Recreation District's efforts to construct a year-round pool and facilities on the historic Boise Cascade Mill site this past Friday morning.

The District has been working hard and long with DEQ to rehabilitate this "Brownfield" status property and to return the property to beneficial use. This includes the use of the amazing low temperature geothermal water resource that we want to clear of prior contamination.

This also confirms that we intend to proceed with designation of the water right as a municipal use for the public pool and recreational services the District provides. The statutory authority for the District is provided in Chapter 43, Title 31 ("Counties and County Law") and starts at Idaho Code 31-4301. We are a tax collecting political subdivision located in Valley County.

Please let me know if we can be of any help while you review the issue of a municipal characterization for the water (& heat) use. I was very pleased by your analysis that we may be able to designate the place of use as the whole 4 acres; including some possible landscape irrigation due in part to the separate and contained nature of the aquifer (assuming prior extraction of the heat resource).

I think the IDWR will come to appreciate the high beneficial use of this project made possible with a lot of time and effort by DEQ and the other participants. I encourage you to consult with Eric Traynor at DEQ and to document the project development of the project and water resource from contamination to enjoyment! (Yes, we are enthusiastic!) Again, thank you for the engaged, analytical, professional and interactive meeting. We look forward to the Department's response. Sincerely yours, Ken Arment.

Grimm, Angie

From: Ben Wellington [benhere@cableone.net]
Sent: Friday, March 01, 2013 10:59 AM
To: Grimm, Angie
Subject: Meeting

Angie Grimm, next friday March 8, at 10:30 works GREAT for Ken Arment and myself.
Please send me your address unless it is the 2735 Airport Way. I have been to that office in the past.
Thank YOU, and have a GREAT weekend.
Sincerely,
Ben Wellington



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

COPY

February 14, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SOUTHERN VALLEY COUNTY RECREATION DISTRICT
ATTN BEN WELLINGTON
PO BOX 723
CASCADE ID 83611

Re: Amended Application for Permit No. 65-23529

Dear Mr. Wellington,

This office received your Application for Permit seeking a water right. Upon review of your application, there are a few areas of the application that need clarification. I drafted an amended application to reflect the clarifications as discussed during our phone conversations. I have enclosed the amended application for your signature. Please review the content of this application. If there are any areas you wish to change, please feel free to correct this application before you sign and return it to me for further processing.

Additionally, please submit a list of names and addresses for all members of Southern Valley County Recreation District who are authorized to sign on behalf of the district. This is required for all applications in the name of an organization.

Please sign and submit the amended application, including the list of members, to allow for further processing. **Your response, or a request for more time to make your response, must be received within thirty (30) days from the date of this mailing. The application will be voided without a timely written reply.**

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter. I look forward to your response.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.

Enclosure(s): Amended Application for Permit 65-23529 for your signature

AMENDED

STATE OF IDAHO

Ident. No. 65-23529

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Southern Valley County Recreation District Phone 1-208-382-5136
 Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: P.O. Box 723 City Cascade
 State ID Zip 83611 Email: SVCRD@frontiernet.net

2. Source of water supply Ground Water - Geothermal Well which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
14N	03E	36	2		NE	NE	Valley	Ground Water - Geothermal	

4. Water will be used for the following purposes:

Amount 1.40 cfs for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 0.40 cfs for Heating purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 1.40 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Geothermal well with pump, 6 in discharge
galvanized pipes to building for heating and other uses. Spent geothermal water discharged to existing waste water ditch.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity
N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate
 Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is 12 inches; proposed depth of well is 177 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☒ Yes ☐ No

e. If well is already drilled, when? Aug 22, 1985; drilling firm Burns Well Drilling;
 Well was drilled for (well owner) Boise Cascade Corporation; Drilling Permit No. 826205

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Heating use for single story building est. 22,000 sq. ft heating, plus heat pool, hot tubs, spa, etc.
Commercial use for swimming pool (48 ft x 82 ft x max 9 ft deep), hot tubs, spa, and other building water fixtures.

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03E	36	C	C															
			Lt 3	Lt 2															
			G	G															
			Lt 3	Lt 2															

Total number of acres to be irrigated: N/A

- Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 65-12755 heating use part of year from same well. Right 65-12755 to used in combination with this permit for year-round heating of building and amenities.
- Who owns the property at the point of diversion? Southern Valley County Recreation District
 - Who owns the land to be irrigated or place of use? Southern Valley County Recreation District
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
- Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant intends to construct and operate a year-round aquatic facility. Applicant proposes use of geothermal water from existing well to heat the building and amenities inside the building (hot tubs, spas, showers, etc.) plus fill a pool via flow through operation where water turns over every 8 hours. Heating rate est. based on attached spreadsheet plus additional increment of flow for design flexibility. Total rate of flow for all uses from well not to exceed ~625 gpm (1.4 cfs). Spent/used geothermal water to be discharged to existing waste water ditch/pond regulated by IDEQ. Potable water to be provided by City of Cascade's municipal system. No irrigation with geothermal water anticipated.
- Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
- MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Ben Wellington, Board Member SVCRD

Print Name (and title, if applicable)

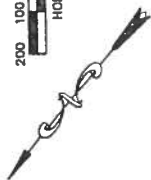
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 290.00 Received by SL Receipt No. W040650 Date 10/18/12

BK 12, pg 15
Inst. No. 371975



RECORD OF SURVEY

for

Southern Valley County Recreation District

Located in a Portion of the NE1/4 of Section 36
T. 14 N. R. 3 E., B.M.,
Valley County, Idaho

Legend

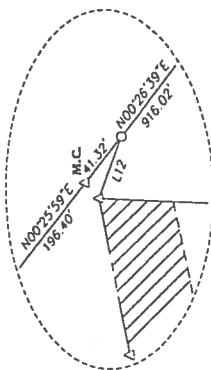
- Set 5/8 Inch Rebar (PLS 13549)
- Found Section Monument as Noted
- Calculated Position
- No Monument Found or Set
- Set 2 1/2" Long with 3/4" Dia. Cap Brass Plug in Concrete (PLS 5618)
- Boundary Line
- Existing Boundary Line
- Easement Line
- Approximate Deed Line - Refer to Deed Inst. No. 63180 & 45087
- Sixteenth Section Line
- Right-of-Way Line
- Area of Proposed Annexation into the City of Cascade
- and Proposed Dedication to the Public (1.73 Acres)
- Area of Proposed Dedication to the Public (2.23 + 1.73 = 3.96 Acres)

Notes

- Refer to ROS Bk. 6, pg. 610, Inst. No. 238007
- Refer to ROS Bk. 7, pg. 47, Inst. No. 256342
- Refer to ROS Bk. 10, pg. 141, Inst. No. 336143
- Refer to ROS Bk. 11, pg. 93, Inst. No. 353941
- Refer to Affidavit of Interest in Real Property, Inst. No. 300715

Survey was performed with a Leica 1200 System GPS. GPS observations were collected using NGS CORS stations. Multiple observations, Idaho State Plane West Zone, State Plane Coordinates have been modified using a Combined Factor of 1.0002876 of the NE corner Section 7, T. 13 N. R. 3 E., B.M. Bearings are Grid Azimuths. Distances shown are ground distances in U.S. Survey Feet.

Detail 'A'
Not to Scale



LINE	LENGTH	BEARING
L1	29.99	N43°37'03"W
L2	82.94	N43°37'03"W
L3	41.79	N43°34'59"W
L4	21.05	N43°34'59"W
L5	71.29	N19°39'24"E
L6	121.10	N14°40'46"E
L7	20.00	S87°54'00"W
L8	20.00	S87°54'00"W
L9	100.00	N54°56'24"E
L10	100.00	S56°09'19"W
L11	100.00	N56°09'19"E
L12	35.18	N03°20'56"W

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	13.95	2914.90	11.95	N09°42'12"W
C2	917.97	2914.90	914.18	N18°51'44"W
C3	167.37	2914.90	162.34	N12°11'58"W
C4	43.56	210.00	43.49	N09°15'14"E
C5	32.20	170.00	32.15	N09°15'14"E
C6	116.67	110.00	111.28	S14°12'51"W
C7	53.03	50.00	50.58	S14°12'51"W
C8	209.34	160.00	197.91	N31°15'00"E
C9	139.70	120.00	131.94	N17°15'00"E
C10	84.41	200.00	83.78	N14°11'23"W
C11	42.20	100.00	41.89	N14°11'23"W
C12	375.41	2450.00	375.04	N30°40'13"W
C13	390.73	2550.00	390.35	N30°40'13"W
C14	135.65	2914.90	135.64	N29°37'10"W

CERTIFICATE OF SURVEYOR

I, George J. Bowers IV, do hereby certify that I am a registered Professional Land Surveyor licensed by the State of Idaho, and that this map is based upon an actual survey made on the ground by me under my supervision, and that this map is an accurate representation of said survey, and is in conformity with the laws of the State of Idaho pertaining to plats and surveys, including Title 55, Chapter 16, Corner Perpetuation and Filing.



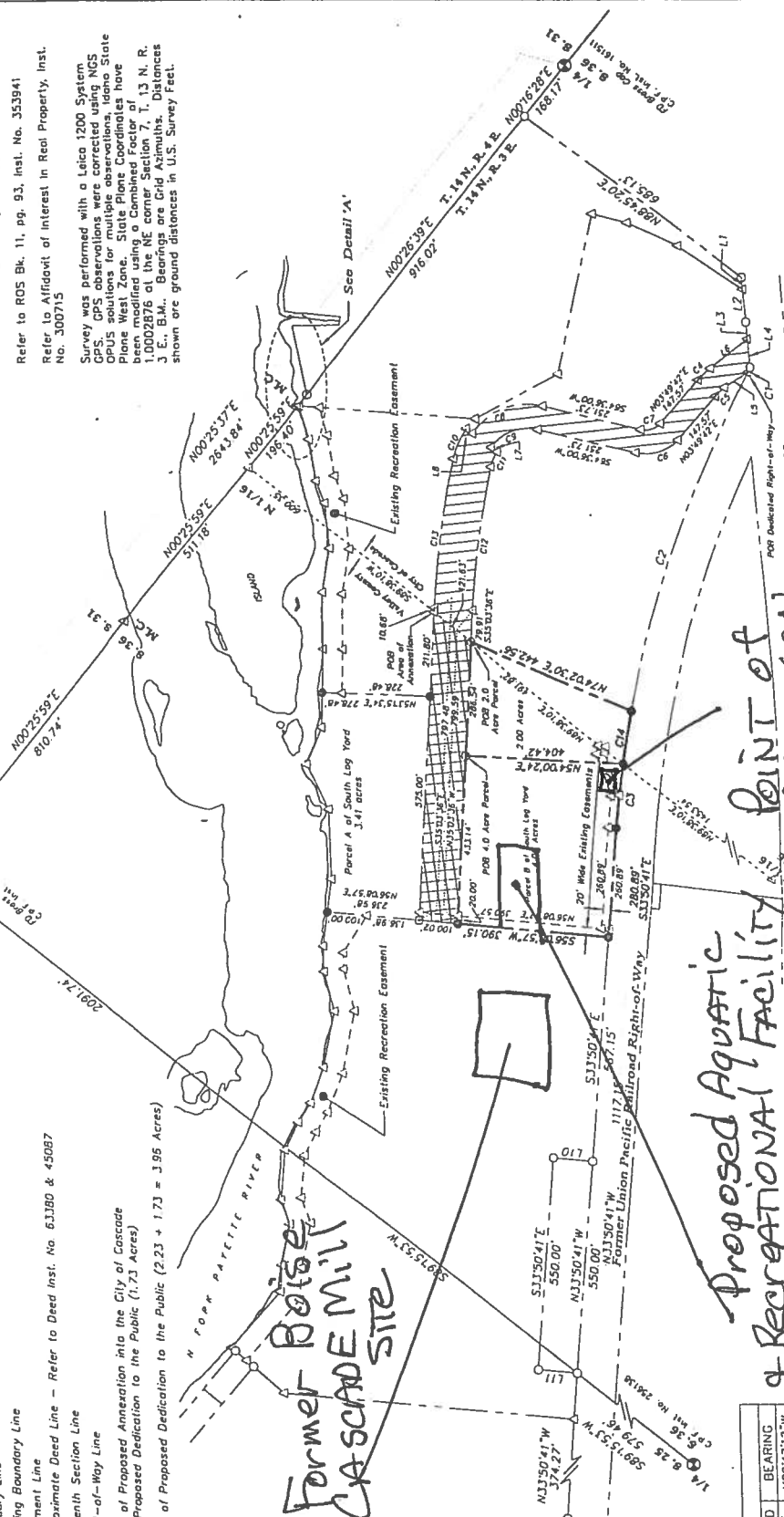
Fodrea Land Group, Inc.
Surveyors. Engineers. Planners.

105 N. MAIN STREET, P.O. BOX 188 - CASCADE, IDAHO 83611
OFFICE: 208.382.4900 - FAX: 208.382.3410
WWW.FODREALANDGROUP.COM

JOB NO: 2010-10
DRAWN BY: GJB
DATE: 07/12
SHEET: 1 OF 1

Proposed Aquatic
& Recreational Facility
POINT of
DiversiON
EXISTING

Former Boise
CASCADE MILL
SITE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

3

1. WELL OWNER Name <u>BOISE CASCADE MILL</u> Address <u>CASCADE</u> Owner's Permit No. <u>(BOISE CASCADE PERMIT)</u>	7. WATER LEVEL Static water level <u>9</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow <u>600-700</u> Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>100</u> OF. Quality <u>GOOD</u> Describe artesian or temperature zones below.																															
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>600-700</u></td><td><u>177</u></td><td><u>3</u></td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>600-700</u>	<u>177</u>	<u>3</u>																									
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☒ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <u>88287</u> <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td><u>15</u></td><td><u>0</u></td><td><u>10</u></td><td><u>DECOMPOSED GRANITE</u> <u>SOFT</u></td><td></td><td>☒</td></tr><tr><td><u>12</u></td><td><u>14</u></td><td><u>17</u></td><td><u>GRANITE WITH</u> <u>SEAMS STARTING</u> <u>@ 8' = 177</u></td><td></td><td>☒</td></tr></tbody></table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	<u>15</u>	<u>0</u>	<u>10</u>	<u>DECOMPOSED GRANITE</u> <u>SOFT</u>		☒	<u>12</u>	<u>14</u>	<u>17</u>	<u>GRANITE WITH</u> <u>SEAMS STARTING</u> <u>@ 8' = 177</u>		☒									
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. WORK STARTED <u>AUG 18 85</u> finished <u>AUG 22 85</u>																															
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☒ Other <u>PVC</u> <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>.250</u> inches</td><td><u>12</u> inches</td><td><u>2</u> feet</td><td><u>19</u> feet</td></tr><tr><td><u>.250</u> inches</td><td><u>10</u> inches</td><td><u>3</u> feet</td><td><u>177</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☐ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation <u>3/8</u> inches by <u>15</u> inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>30</u> perforations</td><td><u>155</u> feet</td><td><u>177</u> feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>19'</u> Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth ☒ Welded ☒ Solvent Method of joining casing: ☐ Threaded ☒ Welded ☐ Cemented between strata Describe access port <u>WELL SEAL CAN</u> <u>BE REMOVED</u>	Thickness	Diameter	From	To	<u>.250</u> inches	<u>12</u> inches	<u>2</u> feet	<u>19</u> feet	<u>.250</u> inches	<u>10</u> inches	<u>3</u> feet	<u>177</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>30</u> perforations	<u>155</u> feet	<u>177</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet
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6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location. <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td>W</td><td></td><td>X</td><td></td><td>E</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County <u>VALLEY</u> <u>SE 1/4 NW 1/4 Sec. 31, T. 14 N. R. 3 E. M.</u>	N										W		X		E											11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were compiled with at the time the rig was removed. Firm <u>BOONE WELL DRILLING</u> Firm No. <u>103</u> ROUTE 2 BOX 615 GRANGEVILLE IDAHO 83530 Date <u>10/10/85</u> Signed by (Firm Official) <u>G.R. Burns</u> and (Operator) <u>G.R. Burns</u>						
N																																
W		X		E																												

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

RESIDENTIAL SPACE HEATING/COOLING REQUIREMENTS FOR COLD OR GEOTHERMAL SOURCES

Worksheet created by Cindy Hodges, 11/93.

Data entered by: Angie Grimm
Date: 02/13/13
File No: 65-23529
Computations for: heating of building

REQUIRED DATA:

Area of livable floor space, ft2 (A) 22000
2 story? (N=1, Y=2) 1
House efficiency factor (e) * 0.67
Inside design temperature (Ti) 72
Average outside temperature (To) ** 31
Source temperature, degrees F (S) 98
Heating/cooling days per season (D) 365
Hours/day system operates (H) 12

***** ***** *****

* e values are as follows:

- 0.28 Best energy efficiency - extra insulation, caulked and weathersripped, with storm windows and doors
- 0.44 Better energy efficiency - standard insulation, caulked and weathersripped, with storm windows and/or doors
- 0.67 Average residence - standard insulation, no weatherproofing but with storm windows or double panes
- 1.11 Poor energy efficiency - minimal insulation, no weatherproofing or storm windows (older homes, shops or greenhouses)

** Suggested average outside temperatures:

WINTER

4 deg F Boise
6 deg F Grand View
-8 deg F Cascade

***** ***** *****

SUMMER

80 deg F Boise
90 deg F Grand View
70 deg F Cascade

CALCULATED DATA:

DESIGN HEAT LOAD (BTU/hr required)
Formula: $E = [e \times (Ti - To)] \times A$
Applies factor of 0.8 for two-story dwelling

E = 604,340 BTU/hour

TEMPERATURE DROP ACROSS SYSTEM
Formula: $Ts = 0.3 \times [S - Ti]$

Ts = 7.8 degrees F

FLOW RATE REQUIRED (at given source temperature)
Formula: $Q = E / (500 \times Ts) \times 448.8$

Q = 0.35 cfs

DIVERTED VOLUME OVER SEASON
Formula: $Vdiv = Q \times D \times H / 24 \times 1.9835$

Vdiv = 125.0 AFA

AVERAGE TEMPERATURE CALCULATION:

-8 DEG MIN + 70 DEG HIGH / 2 =
31 DEG AVERAGE YEAR ROUND TEMP.

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DM ID: 41728 Survey Type: Original Survey State: Idaho

[Survey Plat Details](#)[Plat Image](#)[Related Documents](#)

Sheet: 1 Description: ---

