

Memo

To: File 11-7491 Sam's Hollow

From: Sandy Hemenway

Date: 11/27/2012

REF: Review of 2011 Annual Report, Mitigation Plan

On March 26, 2012, the Department received the 2011 Annual Report submitted by Brockway Engineering (description of curtailment plan is due by 5/1). Reviewing the report, it shows that Sam's Hollow Water Company owns shares in Fish Haven Water Users, for delivery through 3- ditches from Fish Haven Creek to this project. During 2011, deliveries through Ditch No. 3 were the source of water for mitigation. A portion of the flow through Ditch No. 3 was delivered into a pond and then through the flow meter, and discharged into Bear Lake. Water delivered through the irrigation system and mitigation pipeline is measured through a flow meter before it returns to Bear Lake.

Number of residents and new residents is submitted annually and shown on a map. There were 6-residential households constructed in 2011 for a total of 22 residential households and 1 commercial structure.

Mitigation requires acres previously irrigated to be dried up to compensate for additional consumptive use. Based on procedures developed by Dr. Robert Hill and adopted in the Bear River Ground Water Management Plan, the consumptive depletion for grass pasture is 1.18 ac-ft/acre/year (see Table 1 of the Annual Report). The table was developed to assist in estimating depletion each year based on the facilities build out. The total estimated depletion from the 23-units and club house on line in 2011 is **10.23 AF**.

The 140.5 shares in Fish Haven Water Users owned by Sam's Hollow Water Company can be diverted through any of three ditches: the Upper North Ditch, Number 1 Ditch, and Number 3 Ditch. Each ditch has measuring flumes and flow measurements that have been recorded since May 22, 2004. During 2011, discharge readings were obtained from June 2, 2011 through October 17, 2011 and are shown on a spreadsheet with the annual report (152.10 AF was allotted to Sam's Hollow Water Company). On March 12, 2010, Brent Skinner confirmed that 22.22 acres previously irrigated, was dried up in 2009.

For the 2011 season, mitigation flow commenced to Bear Lake on October 14, 2010. The mitigation flow terminated on November 15, 2010. Table 2, in the annual report, shows the mitigation pipeline flow meter readings as 5,865,336 gallons, **18.0 AF**, which exceeded the total mitigation requirement for the 23 residential units and the club house of 10.23 AF.

Reviewing the information submitted, the report indicates that more water was mitigated to Bear Lake (18.0 AF) than was used for condominiums and commercial use (10.23 AF). The amount mitigated to Bear Lake exceeds the mitigation requirement.

Items under Condition No. 4 of the approved Amendment of Permit (that carries over annually):

- (1) Description of curtailment prior to 5/1 (new description in 3/22/2012 report).
- (2) Description of how flow will be monitored and enforced (completed in 3/22/2012 report –monitored and maintained by Sam's Hollow staff)
- (3) Description of entire flow path of mitigation water (completed in 3/22/2012 report—conveyance channel from the end of the irrigation system to pipeline to Bear Lake from Fish Haven Creek)

- (4) Location of each measuring device (completed in 3/22/2012 report—Fish Haven Water Users 3 ditches, measured through calibrated flumes; Ditch No. 3 delivers to pond, then through flow meter located east of the Fish Haven Cemetery, discharged into Bear Lake))
- (5) Frequency of measuring (completed in 3/22/2012 report/chart)
- (6) List of those to who reports will be submitted (completed in 3/22/2012 report—outlined in the Plan, which was submitted to IDWR)