

From: John Evans [jevans@GARDENCITYIDAHO.ORG]
Sent: Friday, October 08, 2010 12:20 PM
To: Cornell Van Damm (clvandam@msn.com)
Cc: City Council; Joe Canning; Delhie Block; Edl, Michele; Frank Walker; John Evans
Subject: Meeting with Michele Edl

Mr. Van Damm,

On October 6th I had a meeting with Michele Edl at IDWR regarding the various water right issues presented to the City by Mr. Anton, the Riverside Village Homeowners Association (RSVHOA) President. The purpose of my meeting was to determine what, if any, role the City might play in resolving the various issues. As you may recall I committed to contacting IDWR directly during our meeting on September 14th.

We had a very profitable discussion out of which I either learned or confirmed the following.

1. The water rights were decreed in 2007, meaning that they are not subject to further review.
2. The water rights do have conditions that can be amended via a specific protocol.
3. One of the water rights covers the aesthetic/consumptive use and the other provides for the storage. These rights seem to be exclusive to the private conveyance system of the RSVHOA.
4. The Point of Diversion transfer has been approved subject to conditions (measuring inflow, with control, and outflow to determine consumption).
5. There appears to be no water right for the Westmoreland and Riverside Ponds. Michele will research.
6. Access rights to the POD need to be formalized.

It is clear to me that the water master controls must be installed at the POD under any scenario. However, measuring the outflow presents some challenges. The intent of measuring the outflow is to substantiate consumption by calculating the difference between what enters the system and what leaves the system. The consumption as a result of the sprinkler pumps can be measured via pump curves and power consumption, however I am convinced that the most significant water loss is the result of infiltration back into the ground water. After consulting with the City Engineer I am comfortable that the seepage loss can be fairly accurately estimated. I believe determining the actual irrigation usage and the seepage loss are critical to a satisfactory outcome. The third source of loss would be evaporation which I believe is also a formula driven calculation. The current difference between the inflow and out flow appears to be significant so accounting for the loss is important.

As previously represented to you I will be asking the City Council to make a decision regarding what, if any, financial participation the City will provide to deal with the POD requirements. I can make this request because of the collateral benefit to the public relative to Riverside Pond. I will also request authority to formalize the access rights to the POD. These items will be on the October 11 City Council agenda. As stated in our September 14th meeting expending funds to correct the other deficiencies appurtenant to the privately held water rights must remain the sole responsibility of the RSVHOA.

After meeting with Michele Edl I am confident that the outstanding issues related to the water rights can be addressed in a straight forward manner. However it is my strong recommendation that the RSVHOA solicit the assistance of a professional to facilitate this process.

Please share this message with the other members of your board.

Regards,

John