

MEMORANDUM

TO: Transfer No. 77271 File
FROM: Steve Lester 
DATE: June 14, 2011
RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to increase the PPU boundary for additional land to be used for the Crane Creek Golf Course located in the Highlands Subdivision near "Simplot Hill" and Bogus Basin Road in Boise.

Contact person for the applicant is Lori Graves at SPF Water Engineering.

Deviations from Transfer Policy Standards

Application Part 1.B.1 omitted fire protection details from 63-32115. This is an insignificant error that does not need to be corrected. Also, the rights were decreed with some unexpected details: fractions of acres for irrigation exceeding 10-acres, and storage volume to 2 decimal places. Allow these existing deviations to remain in place.

Summary of Information Submitted

Authority to File: The applicant is the owner of record and can file the application. Also, the applicant is a registered business entity authorized to operate in Idaho (C33143).

Water Right Validity: The rights were decreed in February and July 2007. The application was filed in May 2011 within the 5-year period from the decrees. The rights are valid.

Injury to Other Water Rights: Adjusting the PPU boundary from 114 to 150 acres will not result in injury.

Enlargement of Use: Retaining the same rate, volume and acres limitations in a slightly larger boundary is not an enlargement of the rights.

Local Public Interest: Improving the economic value of the golf course is in the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Discussion

These 3 rights can be considered a single system irrigating the golf course and can be included in one transfer. Legal notices are not needed for this simple irrigation boundary change.

The applicant provided a lease agreement on June 6 to document authority to operate on the new acres owned by another party.

Expedited Watermaster comments will be requested with a very brief response period (about 1 week instead of 1 month, where no comment means approval). Surface water right 63-32114 will require lockable and measurable diversion works. The ground water rights are not subject to water district requirements.

Review confirmed the irrigation analysis included as application Attachment 9. Some simultaneous water bank lease applications for portions of the rights are being processed as this transfer proceeds. This is discussed in Application Attachment 9. Probably only the unused portions of the rights will wind up in the bank. SO letter of 6/15/2011 confirms the bank situation is delayed while some other issues are attended to. The water bank process does not interfere with the transfer.

Permit 63-12596 includes POU overlap as noted below. This does not prejudice the transfer. Some POD overlap with transfer rights 63-3108 and 63-32115 (both from same wells) follows.

Permit 63-12152 for golf course

2 wells for 2 amenity ponds covering ½ acre total, SWNE and SESE S.26. Mitigated by ½ acre reduction of irrigation in 63-3108. This was “informal mitigation” sometimes used prior to more formal procedures that have since been implemented. Field exam completed and forwarded to SO for licensing about 2000.

Note 63-3108 in T4248 approved in 1994. This identified 115.3 acres of irrigation. The right now covers 114.8 acres. Apparently the ½ acre difference has already been recorded – probably upon approval of 63-12152.

Permit 63-12596 for golf course

Permit was for same wells as 63-3108 and 63-32115 but only to add rate of flow to the acres. Field exam completed by private examiner and forwarded to SO for licensing about 2004. Ideally this would be licensed and included in this new transfer application. However, due to timing issues regarding forfeiture, delay is neither advisable nor required. A similar transfer could be easily processed once this permit is licensed.

Conditions of Approval

Standard conditions as needed.

Condition 046 N/A since new wells are not proposed.

004 for new land not owned by the applicant.

T4248 added 2 wells to 63-3108 – “front nine and back nine” wells. Those wells were completed as confirmed by exams for the above permits. It is reasonable to conclude the new wells have been used for irrigation. Delete conditions about T4248 in this new transfer since the older transfer has been completed as verified by department records.

Add R65 to 63-32114 and 63-32115 (also see next paragraph).

X35 - The ground water rights have defined diversion volumes. The surface water right has defined storage volume but not diversion volume. Separate adjudication conditions were used to cover the relevant “X35 conditions” for PPU limits (E54, E55 and E60). One ground water right includes R65 to define the rate and volume limits per acre. We typically use R65 (or appropriate version) for all rights in an irrigation transfer. Including the surface water right in the diversion volume limitation does not impose more restrictions on the golf course. Therefore, replace E54 thru E60 with a single X35 condition limiting all 3 rights to 2.30 cfs, 516.6 af (full volume per acre) and 114.8 acres.

X27 is needed for each right for the 114.8 acre limit within the 150 acre PPU.

Condition 206 is used sometimes to specify a limited irrigation shape within a larger PPU. Here, the acre limit is about 75% of the proposed PPU area. It probably would not be an issue for a golf course in Boise. On the other hand, the PPU is significantly larger than the acre limit. Use a modified version of the condition as follows:

Upon notification by the Department, rights 63-3108, 63-32114 and 63-32115 shall be limited to the irrigation of a specific 114.8 acres within the 150 acre place of use authorized by these rights in a single irrigation season. If required, the specific 114.8 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. If required, before changing the 114.8 acres to be irrigated within the 150 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

63-32114 needs R05 and R43 water district conditions.

F06 should identify 63-3108 and 63-32115 for the same wells.

01M for ground water rights - Junior permit 63-12596 covers the same wells as the senior ground water rights in this transfer. The permit required measuring devices for all the wells. Exam 63-12596 confirmed that 15 artesian wells are not capable of being measured, at least without implied extraordinary efforts. The artesian wells feed a common collector pipe emptying into a pond that is as part of the irrigation system. The 3 non-artesian wells have flow meters. Use a modified 01M as follows for 63-3108 and 63-32115:

The right holder shall maintain suitable measuring devices on the 3 non-artesian wells used under rights 63-3108 and 63-32115. Upon notification by the Department, the right holder shall install a suitable measuring device for the collector pipeline fed by the 15 artesian wells used under rights 63-3108 and 63-32115. Upon notification by the Department, the right holder shall annually report the amount of water diverted under rights 63-3108 and 63-32115 to the Department.