

Memorandum

Date: May 18, 2011

To: File 85-7645

From: Craig L. Saxton

Re: Number of domestic uses developed during the authorized development period.

On September 1, 2004, the Department conducted a licensing field examination for 85-7645. The field examiner did not identify how many domestic homes were built at that time or how many lots were stubbed in.

On February 25, 2009, Department employee Mat Weaver contacted the permit holder asking for additional information including a request for the "as built" information to establish the extent of domestic beneficial use that could be recognized during the authorized development period.

On November 24, 2010, the permit holder, Fred Snyder, replied to Mat's request saying that he already sent the information Mat requested, but will send it to him again by December 5, 2010. Mat responded the same day to reconfirm that the IDWR did not receive the information he had requested back in February of 2009 and the only information he had received was an assignment of permit. It was agreed that Mr. Snyder would submit the information by January 14, 2011.

On January 7, 2011, Mr. Snyder e-mailed Mat to confirm that the information Mat had requested needed to show development during the authorized development period and that the only information he had was for development after August 21, 2003 (the authorized development period for permit 85-7645 ended August 21, 2003).

On January 10, Mat replied confirming he needed data supporting development during the authorized development period.

On April 8, 2011, Mat inquired as to the status of Mr. Snyders progress gathering the requested information. Mr. Snyder said he could not get the requested information.

On April 28, 2011, I contacted the DEQ regional office in Lewiston to see if I could get a copy of the "as-built" drawings dating back into the development period. I was told to contact the Boise office and I did. The next day (April 29, 2011) the DEQ Boise office responded by e-mail telling me that the "as-built" drawings they have on record date 1-5-2009 and show 25 connection in the Eagle Pointe Subdivision.

Summary:

IDWR has worked with the permit holder for 2 years trying to get the permit holder to supply information that would confirm the extent of beneficial use within the authorized development period. IDWR has also attempted to gather that information itself. The best information IDWR has is Nez Perce County GIS tax lot information which does list the "year built" in the attribute date. According to the tax lot information 16 homes were built from 1997 to 2003. Without further documentation supporting more development, the Department is restricted to recommending that the license be issued to authorize domestic use for 16 homes. The permit hold had ample time to supply IDWR with the necessary information.

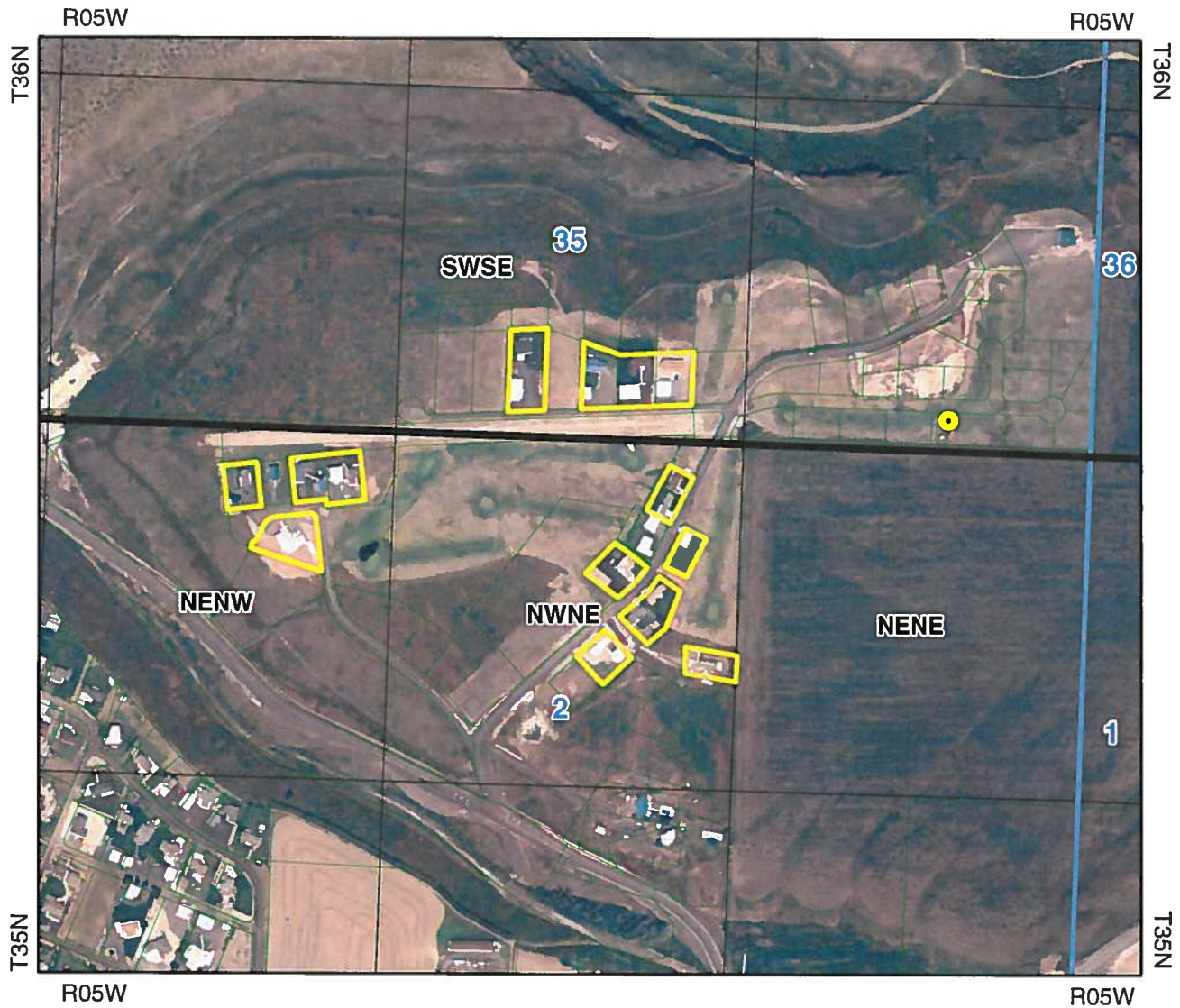
A memo from Mat Weaver dated 11-8-2010, states that "Correspondence with the developer indicates that 18 homes were built out in 2003." However, there is no documentation in the file of which 18 homes he was confirming. The license will be issued with the POU and diversion volumes for the domestic use based on 16 homes that can be confirmed to have been in place during the authorized development period.

Domestic Volume: $16 \text{ homes} \times 0.60 \text{ af per home} = 9.6$

Irrigation Volume: See Mat Weavers November 8, 2010, memo.

State of Idaho
Department of Water Resources
Water Right License
85-7645

Domestic Place of Use for Eagles Pointe Development Inc

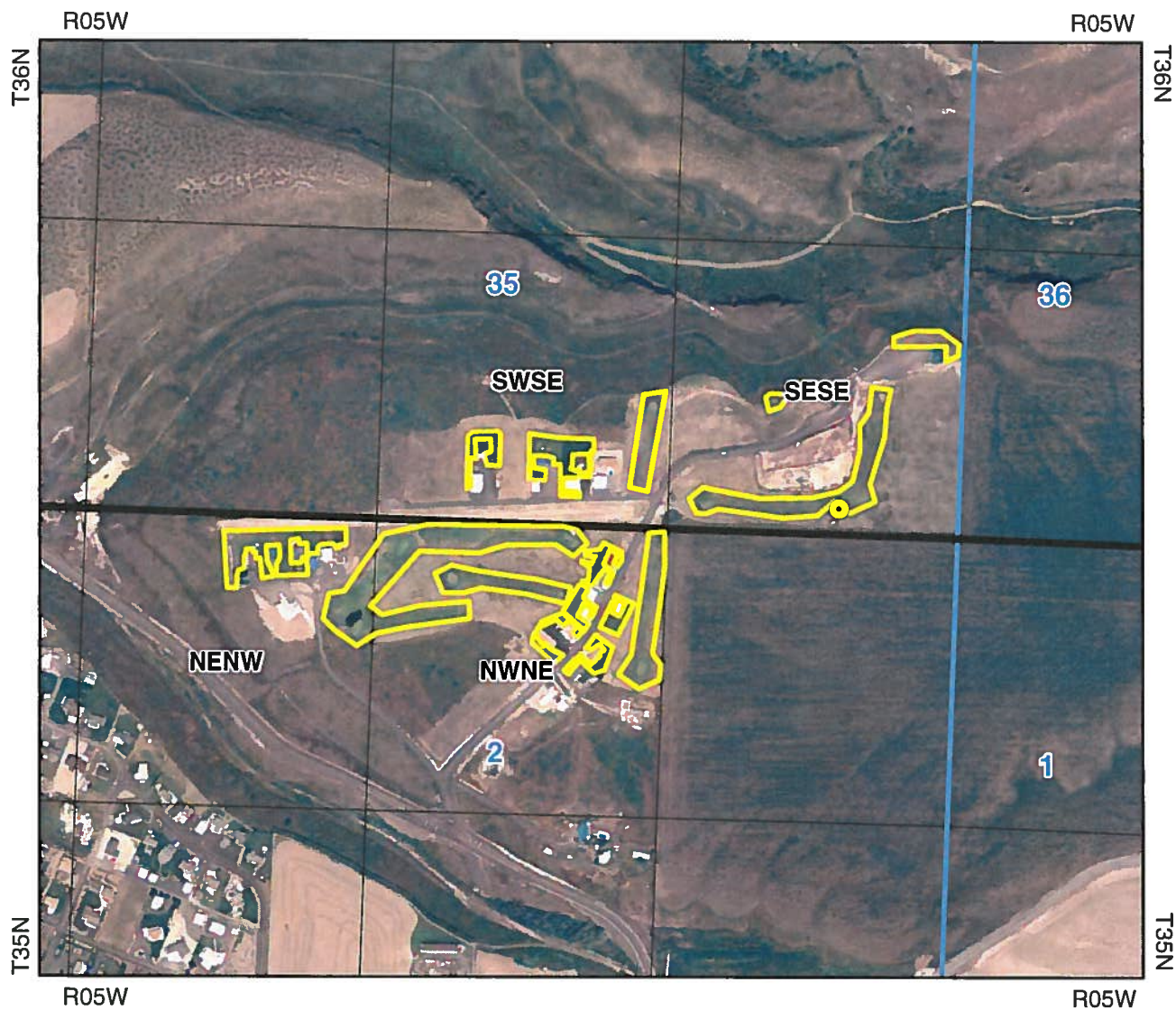


0 0.05 0.1 0.2 Miles

- Legend**
- Point of Diversion
 - Place Of Use Boundary
 - Townships
 - PLS Sections
 - Quarter Quarters
 - Taxlots



State of Idaho
 Department of Water Resources
Water Right License
 85-7645
 Irrigation POU for Eagles Pointe Development Inc



0 0.05 0.1 0.2 Miles

Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



Nez Perce County Parcel Data

PIN	OWNER	ADDRESS1	CITY	STATE	ZIP CODE	P_ADDRESS	P_ZIP CODE	LEGAL2
RP03025000008A	SNYDER DONALD E	7293 FLYBY DR	LEWISTON	ID	83501	7293 FLYBY DR	83501	EAGLES POINTE SUBDIVISION 8
RP03025000007A	HOWARD ELDON J &	P O BOX 576	LEWISTON	ID	83501	7259 FLYBY DR	83501	EAGLES POINTE SUBDIVISION 7
RP03025000012A	MELBY LAURENCE &	6963 OSPREY DR	LEWISTON	ID	83501	6963 OSPREY DR	83501	EAGLES POINTE SUBDIVISION 12
RP03025000009A	OKES LEVI S &	6885 OSPREY DR	LEWISTON	ID	83501	6885 OSPREY DR	83501	EAGLES POINTE SUBDIVISION 9
RP030260000010	RIMEL RUSSELL G &	860 EAGLES POINTE BLVD	LEWISTON	ID	83501	860 EAGLES POINT BLD	83501	EAGLE'S POINTE SUB 2ND ADDN 1
RP35N05W022850	WORLEY DONALD J &	884 REDHAWK DR	LEWISTON	ID	83501	884 REDHAWK DR	83501	#9132 IN THE N1/2 2 35 5W
RP030260000070	THORSTEN PATRICIA A	899 EAGLES POINTE BLVD	LEWISTON	ID	83501	899 EAGLES POINT BLD	83501	EAGLE'S POINTE SUB 2ND ADDN 7
RP030260000060	LANGDON BRENDA LEE	939 EAGLES POINTE BLVD	LEWISTON	ID	83501	939 EAGLES POINT BLD	83501	EAGLE'S POINTE SUB 2ND ADDN 6
RP030260000050	BREEDLOVE JIM W &	965 EAGLES POINT BLVD	LEWISTON	ID	83501	965 EAGLES POINT BLD	83501	EAGLE'S POINTE SUB 2ND ADDN 5
RP030270000010	ZUMWALT TROY A &	991 EAGLES POINTE BLVD	LEWISTON	ID	83501	991 EAGLES POINT BLD	83501	EAGLES POINTE SUBDIVISION
RP030270000030	KING CLAUDIA J	731 AIRWAY AVE	LEWISTON	ID	83501	1031 DIAMOND DR	83501	EAGLES POINTE SUBDIVISION
RP03025000004A	DAVIS LARMIE D &	7137 FLYBY DRIVE	LEWISTON	ID	83501	7137 FLYBY DR	83501	EAGLES POINTE SUBDIVISION 4
RP03025000006A	KINGSBURY RANDY S &	7239 FLYBY DR	LEWISTON	ID	83501	7239 FLYBY DR	83501	EAGLES POINTE SUBDIVISION 6
RP03025000011A	MOUSSEAU ALBERT O &	6915 OSPREY DR	LEWISTON	ID	83501	6915 OSPREY DR	83501	EAGLES POINTE SUBDIVISION 11
RP030260000020	CHAVEZ IRENE	878 EAGLES POINTE BLVD	LEWISTON	ID	83501	878 EAGLES POINT BLD	83501	EAGLE'S POINTE SUB 2ND ADDN 2
RP030260000040	ERLEWINE NEIL G &	940 EAGLES POINTE BLVD	LEWISTON	ID	83501	940 EAGLES POINT BLD	83501	EAGLE'S POINTE SUB 2ND ADDN 4

Nez Perce County Parcel Data

LEGAL3	COUNTY	YEAR_BUILT	ParcelCoun	SHAPE_area	SHAPE_len
1/14 INT IN RUNWAY-QCD 753602	Nez Perce	2003	1	2589.76562500000	207.02009849900
1/14 INT IN RUNWAY-QCD 753319	Nez Perce	2001	1	2602.03125000000	207.62964294300
RE-PLAT	Nez Perce	2003	1	2399.06250000000	205.24612630300
RE-PLAT	Nez Perce	2000	1	2020.14062500000	181.19307379100
RE-PLAT	Nez Perce	2000	1	853.67187500000	116.96494942500
Nez Perce	Nez Perce	2003	1	3521.21875000000	246.55099336800
Nez Perce	Nez Perce	2000	1	1352.76562500000	153.58078032600
Nez Perce	Nez Perce	2000	1	1492.92187500000	159.46641532600
Nez Perce	Nez Perce	2002	1	1248.09375000000	146.17706923500
Nez Perce	Nez Perce	1999	1	1988.20312500000	178.30519735600
3RD ADDITION 1	Nez Perce	1997	1	1808.96875000000	181.15856464400
3RD ADDITION 3	Nez Perce	2002	1	4018.79687500000	274.19343336100
1/14 INT IN RUNWAY-QCD 755018	Nez Perce	2000	1	2954.67187500000	226.23468964000
1/14 INT IN RUNWAY-QCD 753265	Nez Perce	2000	1	2029.87500000000	181.82966473300
RE-PLAT	Nez Perce	1998	1	965.15625000000	124.15767845200
Nez Perce	Nez Perce	1999	1	2307.76562500000	189.90512550400