

MEMO

TO: File 63-12092

FROM: CPadilla

DATE: September 29, 2010

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 1/14/94

Permit Approved: 11/29/99

Proof of Beneficial Use Received: 9/7/04

Field Exam Conducted: 9/30/04

Mitigation Plan: This permit was approved during the administrative hold in Basin 63 because an acceptable mitigation plan was submitted by the applicant's representative, SPF. The water consumed by the new groundwater irrigation use is mitigated by replacing the losses through seepage in ponds on the golf course by Boise River water.

Conditioning:

Comment	Water Permit Condition Report 63-12092
Carry to license. It appears that this condition has been complied with so far. Mitigation should be adequate so long as this license is limited to 11.2 afa.	The right holder shall mitigate the groundwater diversion authorized under this right by directing water diverted from the Boise River under existing water rights into unlined ponds and causing it to seep into the ground. The volume of water directed into the ponds for mitigation purposes shall equal or exceed the volume of groundwater diverted under this right each year. The ponds shall be modified and/or constructed and the seepage shall be quantified in accordance with the plan proposed in a letter from Scanlan Engineering dated November 10, 1999. If the proposed mitigation proves to be inadequate or cannot be maintained, the Director retains jurisdiction to require modifications to maintain sufficient recharge in order to offset diversion from the aquifer under this right. The Director retains jurisdiction to require measurement and reporting of the amount of surface water supplied to the ponds for mitigation purposes.
Carry to license	01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
Change to 104	079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
Doesn't carry to license	26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
Carry to license	065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
Modify to WB7, this right is no limited to 0.02 cfs/acre because irrigation from storage.	R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
Per well driller's report, well is screened from 152-172. Carry to license.	Water bearing zone to be appropriated is 157 to 172 feet.

Combined limit conditions for acreage will be added to this license to address the overlap as described below.

POU Overlap Analysis (in addition, see attached map and/or excel sheet): Place of use is also known as Foxtail Golf course. 63-17563 also overlaps the POU for this right. However, 63-17563 is for domestic and stockwater only and will not be considered in the overlap analysis.

<i>Right</i>	<i>Rate</i>	<i>Volume</i>	<i>Acre Limit</i>	<i>Fully covers 63-12092?</i>	<i>Priority</i>	<i>Use and Source</i>
63-32345 (recommended from 63-4440)	1.58 cfs	na	79.1	Yes	3/1/54	Irrigation from wastewater
63-32043	0.34 cfs	165.5	65	Yes, except for 11.7 acres	3/18/77	Irrigation from groundwater
63-170D	0.40 cfs	na	80	Yes	6/1/1868	Irrigation from the Boise River
63-12092	0.34 cfs	11.2	73.7		1/14/94	Irrigation from storage, div. to storage from groundwater
<i>63-3060, 63-230L, & 63-231D Surface Water from Settlers Irrigation District</i>						
<i>Totals</i>	<i>na</i>	<i>na</i>	<i>83</i>			

PD Summary: When transfer #71731 was approved, 9/28/2005, right 63-32043 began to divert from the same well authorized under this permit (confirmed to be the same PD based on remarks on the transfer application which indicate the PD is piped to the pond, just as in the system under this right). Overlapping conditions will be added to the license to acknowledge the PD overlap. A rate limit will be added because the well is limited to 0.34 cfs.

Tag #	Location	Rights that Use PD	Uses
None Known	4N1W Sec. 24 in the SESW	63-12092 & 63-32043	Div. to storage & Irrigation

Season of Use: Current standard is 3/1-11/15

Volume and Diversion Rate: The diversion rate and volume will be licensed as follows

	<u>RATE</u>	<u>VOLUME</u>
Diversion to Storage:	0.34 cfs (the estimated capacity of the well)*	
Irrigation Storage:	na	11.2 af
Irrigation from Storage:	na	11.2 af

The volume is limited to the amount of water that is found to be mitigated by seepage in the pond. SPF conducted a seepage test in 1999 and found that 28 af of seepage per acre of pond would occur. The Department did not count the existing pond as of the permit approval as part of the mitigation plan, only newly expanded pond acreage which amounted to 0.4 acres. The total amount of water mitigated for is 11.2 af (28 af x 0.4 acres).

Seepage rate x new pond surface (see field examiner's narrative)

*The field examiner recommended a rate of 0.32 cfs based on pump curve information. The total head is estimated to be at 68.5' while the driller's report shows that the well is screened at 157'. I feel confident that I can re-calculate the system's capacity as follows:

hp= 10

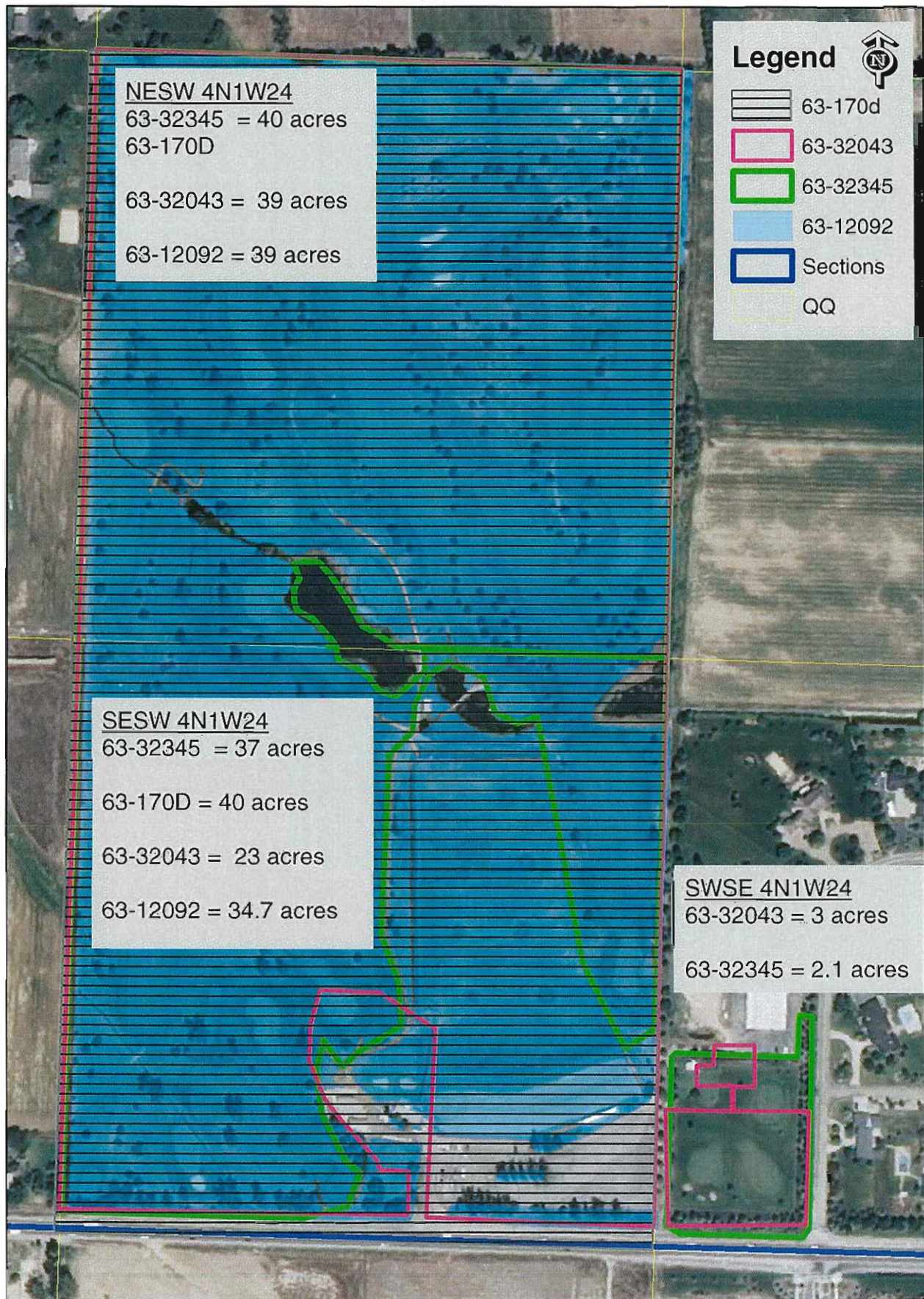
depth to water=157'

psi= 10 (open discharge/low psi)

$$\frac{8.8 \times 10 \times 0.7}{157 + (2.31 \times 10)} = \frac{61.6}{180.1} = 0.34 \text{ cfs (which matches 63-32043)}$$

Amendment Needed? Yes, I recommend that the purpose of use be changed from irrigation to; diversion to storage, irrigation storage, and irrigation from storage. This describes the actual beneficial use more accurately since water is being diverted from the well into the pond and then pumped from the pond for irrigation on the golf course.

Overlap Analysis for 63-12092



Type	WR #	Owner	Source	TRS	NESW	SESW	SWSE	Total
Right	63 12092	WILSON PROPERTIES LP,	GROUND WATER	04N01W24	39	34.7		73.7
Right	63 32043	WILSON PROPERTIES LP,	GROUND WATER	04N01W24	39	23	3	65
Right	63 32345	WILSON PROPERTIES LP,	WASTE WATER	04N01W24	40	37	2.1	79.1
Right	63 170D	Wilson Properties, L.P.,	BOISE RIVER	04N01W24	40	40		80

total acres 40 40 3 83

• These rights when combined shall not exceed 83 acres.