

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 16 2010

DEPARTMENT OF
WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 65-22912

1. Owner Jug Mountain Ranch, LLC

Phone No. 208-634-7641

Current address c/o Millemann, Pittenger, McMahan & Pemberton, PO Box 1066, McCall, ID 83638

2. Examiner's name Terry Scanlan, P.E. (Examiner No. 11-129)

EXAM DATE June 29, 2010

3. Accompanied by Craig Collins

Email craigcollins@jugmountainranch.com

Address PO Box 2332, McCall, ID 83638

Relationship to permit holder Jug Mtn. Ranch Golf Course General Mgr. Phone No. 208-634-5073

4. Source Wilhelm Creek

tributary to Boulder Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use 65-2941

2. Other water rights with the same point of diversion 65-2941

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident. No.	Gov't Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Method of Determination/Remarks
			NE	SW	12	17N	3E	Valley	Field Exam, Aerial Photo

2. Place(s) of Use:

Method of determination Field Exam, Aerial Photo

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	3E	12							X	X	X	X							

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☒ see attached.

[illegible]

Scale: 1" = _____

- ☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (required)
☒ Aerial photo attached (required for irrigation of 10+ acres)
☒ Photo of diversion and system attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with no. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

See Dam Safety File D65-2912

E. NARRATIVE/REMARKS/COMMENTS

Water from Wilhelm Creek is diverted to Jussila Bow Reservoir for wildlife, recreation and aesthetic storage uses benefiting the Jug Mountain Ranch Development. Phase 1 of the development borders a large portion of the reservoir.

The reservoir and diversion works are operated under water right 65-2941 authorizing 100 ac-ft for irrigation storage and irrigation use from storage.

Although the actual size of the reservoir is approximately 122 ac-ft, this right and water right 65-2941 when combined shall not exceed a total annual diversion volume of 100 ac-ft. The 22 extra ac-ft can be considered dead storage because the reservoir is not annually drained and refilled.

The aesthetic storage use under this permit is a benefit to the adjacent and nearby residential lots within the Jug Mountain Ranch planned unit development. Residential lots back up to the east side of the reservoir, and home owners can enjoy a beautiful view of the reservoir. There are docks along the lake at some of the residential lots.

Recreation storage use of the reservoir is primarily as a golf course water hazard. The 12th tee is at the southeast corner of the reservoir, and requires a long drive to reach the fairway along the west side of the reservoir. The 13th tee is on the south side of the upper arm of the reservoir and requires a drive across the reservoir to reach the fairway on the north. A golf cart path has been constructed over the dam, and along the west side of the dam. A causeway provides golf cart access across the north end of the reservoir, from the 13th tee to the 13th fairway. There is also recreational use of the reservoir for canoeing, fishing, and swimming.

The wildlife use observed during the field exam included use by geese and other birds. As visible in the photos, by keeping the reservoir full for most of the year, wetland habitat has developed along the shore of the reservoir. The wetland habitat can be utilized by a variety of wildlife.

See Dam Safety file D65-2941 for reservoir size and construction details.

Attachment A is a copy of the permit.

Attachment B is a topographical map and aerial photo.

Attachment C is photos of the place of use and point of diversion.

Has the permit holder met all conditions of permit approval, including any mitigation requirements and/or measuring device installation requirements? ☐ Yes ☒ No If no, what must be done to meet the permit requirements?

Measuring devices have not been installed. This condition was put on the permit at the request of the District 65D Watermaster, Jerry Greenland. Mr. Greenland later concluded that devices were not necessary (see March 6, 2006 documentation filed with Proof of Beneficial Use).

F. FLOW CALCULATIONS

Additional computation sheets attached

Measured Method:

See Dam Safety file D65-2941

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Wildlife Storage	1/1	12/31	_____	100 afa
Recreation Storage	1/1	12/31	_____	100 afa
Aesthetic Storage	1/1	12/31	_____	100 afa
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	100 afa

2. Recommended Amendments

- ☐ Change P.D. as reflected on page 1 ☐ Add P.D. as reflected on page 1 ☒ None
☐ Change P.U. as reflected on page 1 ☐ Add P.U. as reflected on page 1 ☐ Other

I. AUTHENTICATION

Field Examiner's Signature

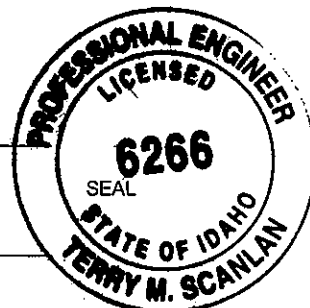
Terry M. Scanlan

Date

7/4/10

Reviewer _____

Date _____



ATTACHMENT A
PERMIT RECORD

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

6/14/2010

WATER RIGHT NO. 65-22912

Owner Type	Name and Address
Current Owner	JUG MOUNTAIN RANCH LLC C/O MILLEMANN PITTENGER MC MAHAN & PEMBERTON PO BOX 1066 MC CALL, ID 83638 (208)634-7641
Representative	SPF WATER ENGINEERING LLC C/O TERRY SCANLAN 300 E MALLARD DR, STE 350 BOISE, ID 83706 (208)383-4140

Priority Date: 08/25/2004
Status: Active

Source	Tributary
WILHELM CREEK	BOULDER CREEK

Beneficial Use	From	To	Diversion Rate	Volume
WILDLIFE STORAGE	01/01	12/31		100 AFA
RECREATION STORAGE	01/01	12/31		100 AFA
AESTHETIC STORAGE	01/01	12/31		100 AFA
Total Diversion			100 AFA	

Location of Point(s) of Diversion:

WILHELM CREEK|NESW|Sec. 12|Township 17N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: WILDLIFE STORAGE VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	03E	12		SWNW			SENE							
				NESW			NWSW							

Place of Use Legal Description: RECREATION STORAGE VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	03E	12		SWNW			SENE							
				NESW			NWSW							

Place of Use Legal Description: AESTHETIC STORAGE VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	03E	12		SWNW			SENE							
				NESW			NWSW							

Conditions of Approval:

1. | The consumption of water under this right is currently attributable to the use of the same water under Right 65-2941.

2. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
3. 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 the permit holder had no control.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65D.
5. 18C Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
6. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
7. X35 Rights 65-2941 and 65-22912 when combined shall not exceed a total annual diversion volume of 100.0 af.
8. Recreation storage use is for fishing, golfing & swimming.
9. X23 When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.

Dates:

Proof Due Date: 02/01/2010

Proof Made Date: 01/27/2010

Approved Date: 02/08/2005

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 08/25/2004

Protest Deadline Date: 01/03/2005

Number of Protests: 0

Field Exam Date::

Date Sent to State Off:

Date Received at State Off:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 2, 2010

JUG MOUNTAIN RANCH LLC
C/O MILLEMANN PITTENGER
MC MAHAN & PEMBERTON
PO BOX 1066
MC CALL, ID 83638

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 65-22912

Dear Permit Holder(s):

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have any questions concerning the field examination, please contact the Western Regional Office of the department in Boise, Idaho 208-334-2190.

Sincerely,

Darla Block

Technical Records Specialist

c: SPF WATER ENGINEERING LLC

RECEIVED

JAN 27 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee \$: 100 -
Receipt No. W038107
Receipt By: DB
Date Received: 1-27-2010

WATER RESOURCES
WESTERN REGION

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been completed and that water has been applied to beneficial use to the extent described below. This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner. Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, please contact any Department office or visit the Department's website at: www.idwr.idaho.gov for an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

- Permit No. 65-22912 Telephone No. 208-634-7641
- Name of Permit Holder(s): Jug Mountain Ranch LLC
- Mailing Address: 90 M. Illeman, Pittenger, McMahan, & Pemberton, P.O. Box 1066 City McCall
State ID Zip 83638 Email: blm@mpmplaw.com
- Source of Water: Wilhelm Creek If GROUND WATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
- Extent of use(s) completed (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Wildlife, Recreation, and Aesthetic Storage
- Total rate of diversion or storage volume for which proof is submitted: _____ cfs OR 100 acre-feet.
- Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: Refer to the approval conditions on your permit and respond accordingly. The Department will not issue a license if permit conditions are not met.

Measuring Device: Is a measuring device required?

If yes, has the measuring device been installed?

Yes ☒ No ☐
Yes ☐ No ☒

See attached letter dated 3/6/06

Lockable Controlling Device: Is a lockable device required to control the diversion?

If yes, has the lockable device been installed?

Yes ☐ No ☒
Yes ☐ No ☐

Other Conditions of Permit: Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

Completed? Yes ☐ No ☐

- Fee Enclosed: \$ 100.00 See fee schedule on back of the instructions for filing proof of beneficial use. Proofs filed without an appropriate fee, will be considered incomplete.

- Person to contact to accompany the Department representative during field examination of the water system.

Name: Terry Scanlan Telephone Number: 208-383-4140

Mailing Address: SPF Water Engineering, 300 E. Mallard Dr., Suite 350 City Boise

State ID Zip 83706 Email: tscanlan@spfwater.com

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of permit holder: _____ Date: 1-25-10
(include your title, if on behalf of company or organization)

Manager



SPF Water Engineering, LLC
water resource consultants

RECEIVED

MAR 08 2006
DEPARTMENT OF
WATER RESOURCES

March 6, 2006

Jerry Greenland
Watermaster, Water District 65D
503 Withers Ln
PO Box 532
Donnelly, Idaho 83615-0532

Subject: IDWR Permit 65-22912

Dear Jerry,

Thank you for your call today. This letter is to confirm that I correctly understand our conversation.

We discussed the Jug Mountain Ranch LLC Permit to Appropriate Water, No. 65-22912 (copy enclosed). The intent of this permit is to authorize aesthetic, wildlife, and recreation storage at Jussila Bow Reservoir on Wilhelm Creek so that the reservoir may be kept full for these uses. You explained that current operation has been to leave the reservoir full so that outflow from the reservoir is approximately equal to reservoir inflow. However, during times of high evaporation and seepage, outflows are less than inflows and are no longer adequate to supply the one downstream water user (I believe you said this was Mr. Duncan), and then the reservoir outlet is cracked open to deliver approximately the same amount as reservoir inflow so that the downstream user's right is satisfied. This method of operation has been successful during the last season and at this time you do not see a need for installation of measuring devices above and below the reservoir. If there comes a time when devices are needed for measuring and delivering water, then appropriate devices will need to be installed.

If I have misunderstood our conversation, or if you have any additions or corrections, please let me know.

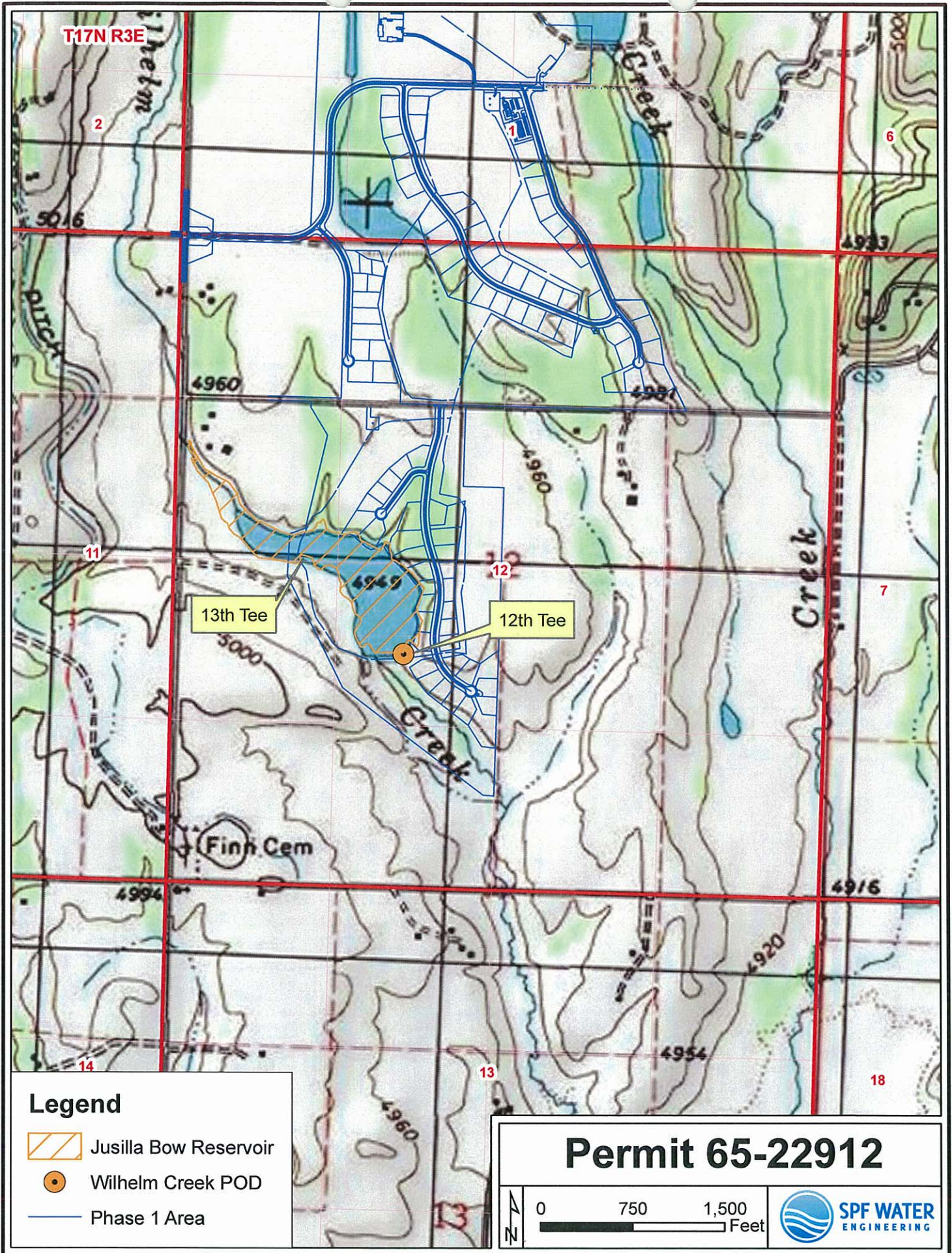
Sincerely,

Scott N. King, P.E.
Senior Project Engineer

cc: Gary Spackman, IDWR
Brian McMahan, Jug Mountain

File: 159.0020

ATTACHMENT B
TOPO MAP AND 2009 AERIAL PHOTO



T17N R3E

2009 Photo

2

1

6

11

12

7

13th Tee

12th Tee

14

13

18

Legend



Jusilla Bow Reservoir



Wilhelm Creek POD



Phase 1 Area

Permit 65-22912



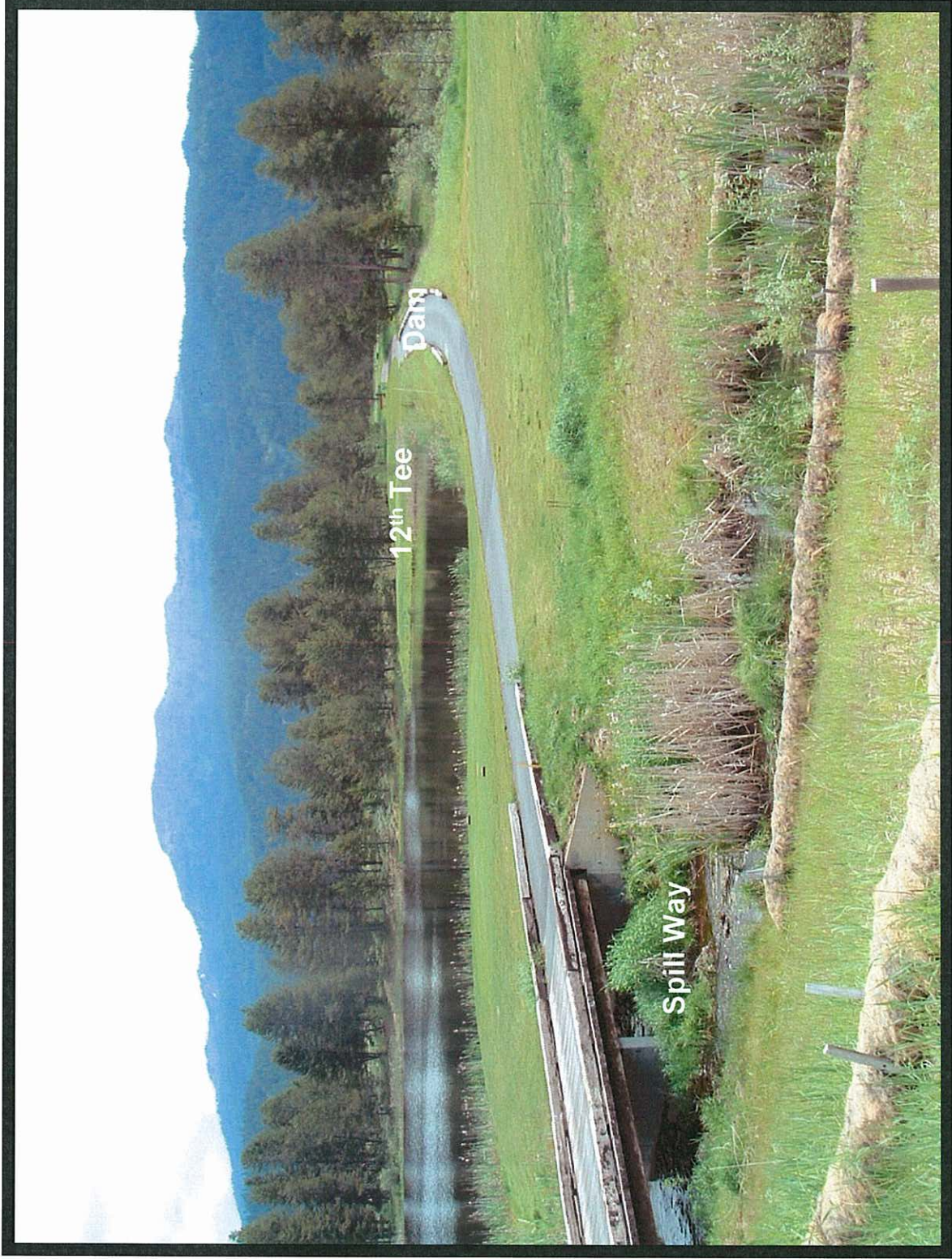
0 750 1,500
Feet



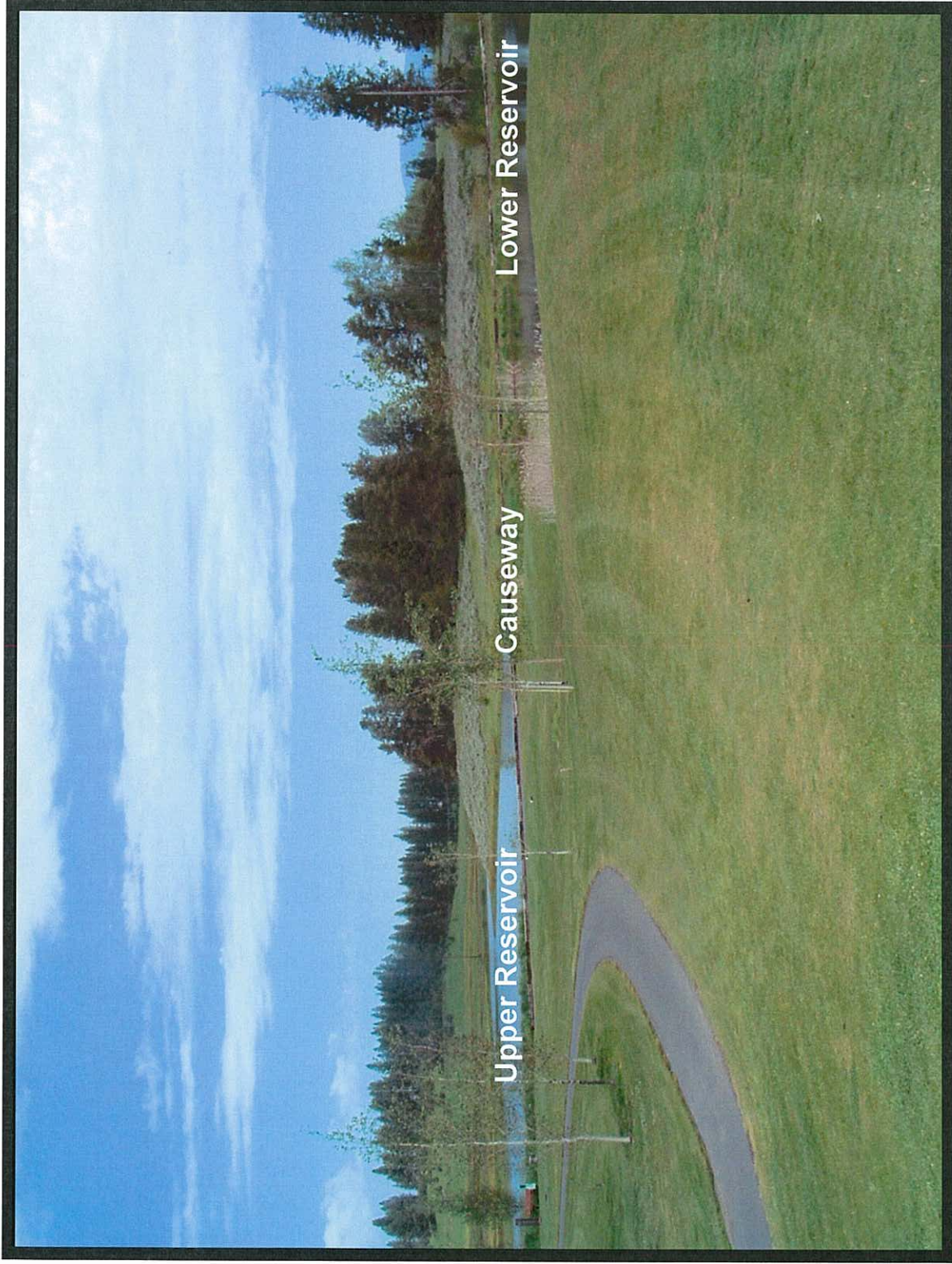
SPF WATER
ENGINEERING

ATTACHMENT C

PHOTOS



Jussila Bow Reservoir Overview



Jussila Bow Reservoir Overview



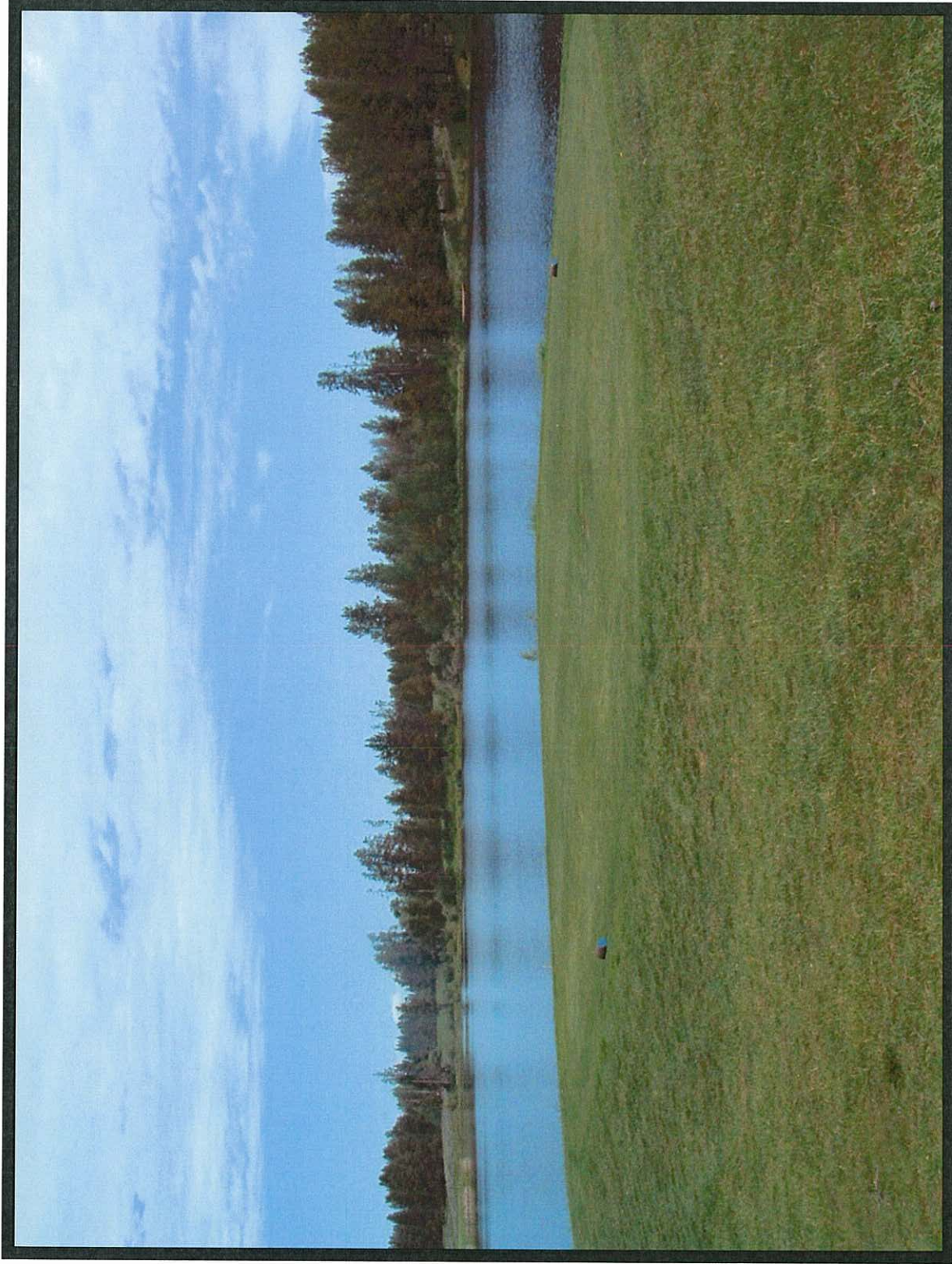
Control Gate for Dam Outlet Pipe



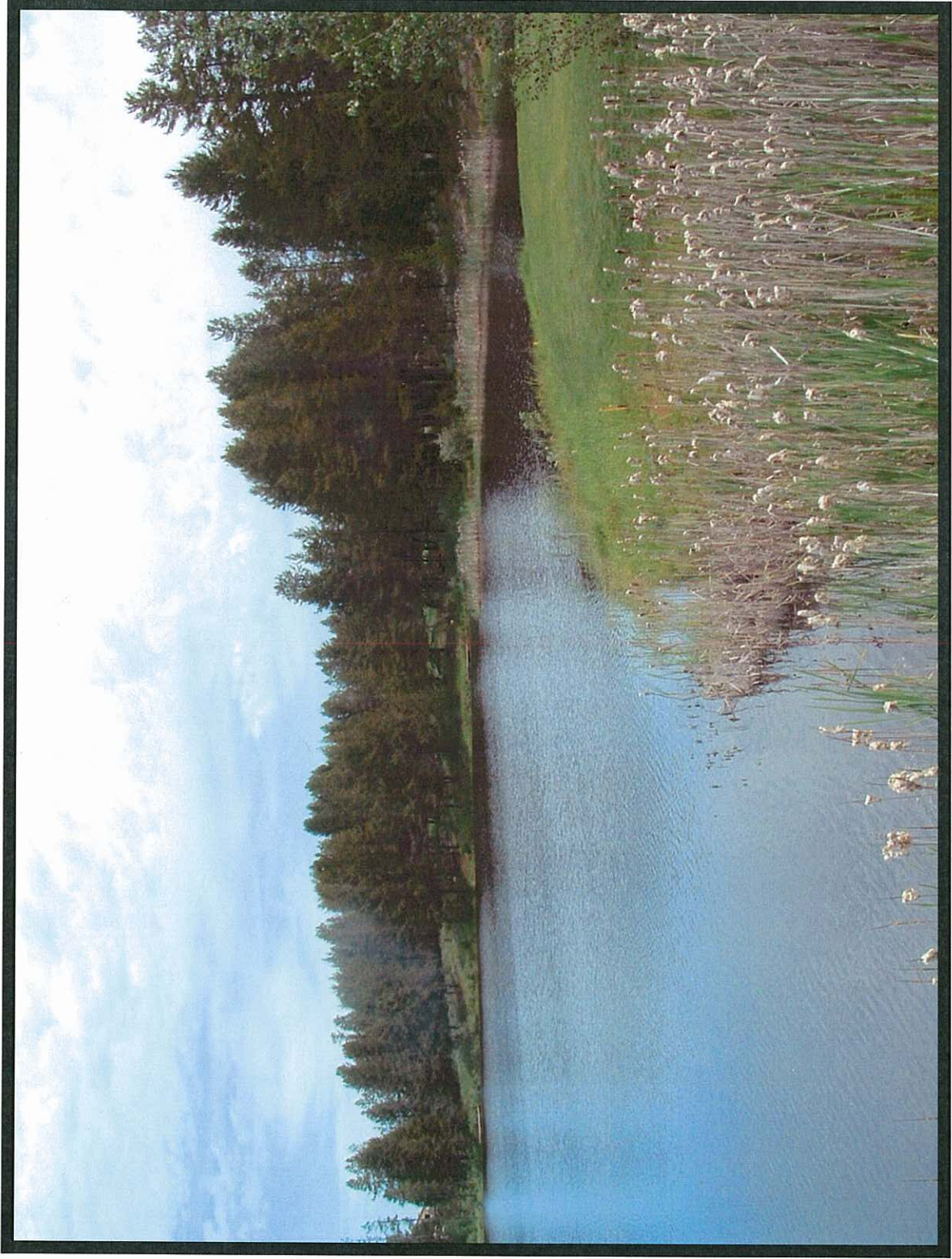
Outlet Pipe at Toe of Dam



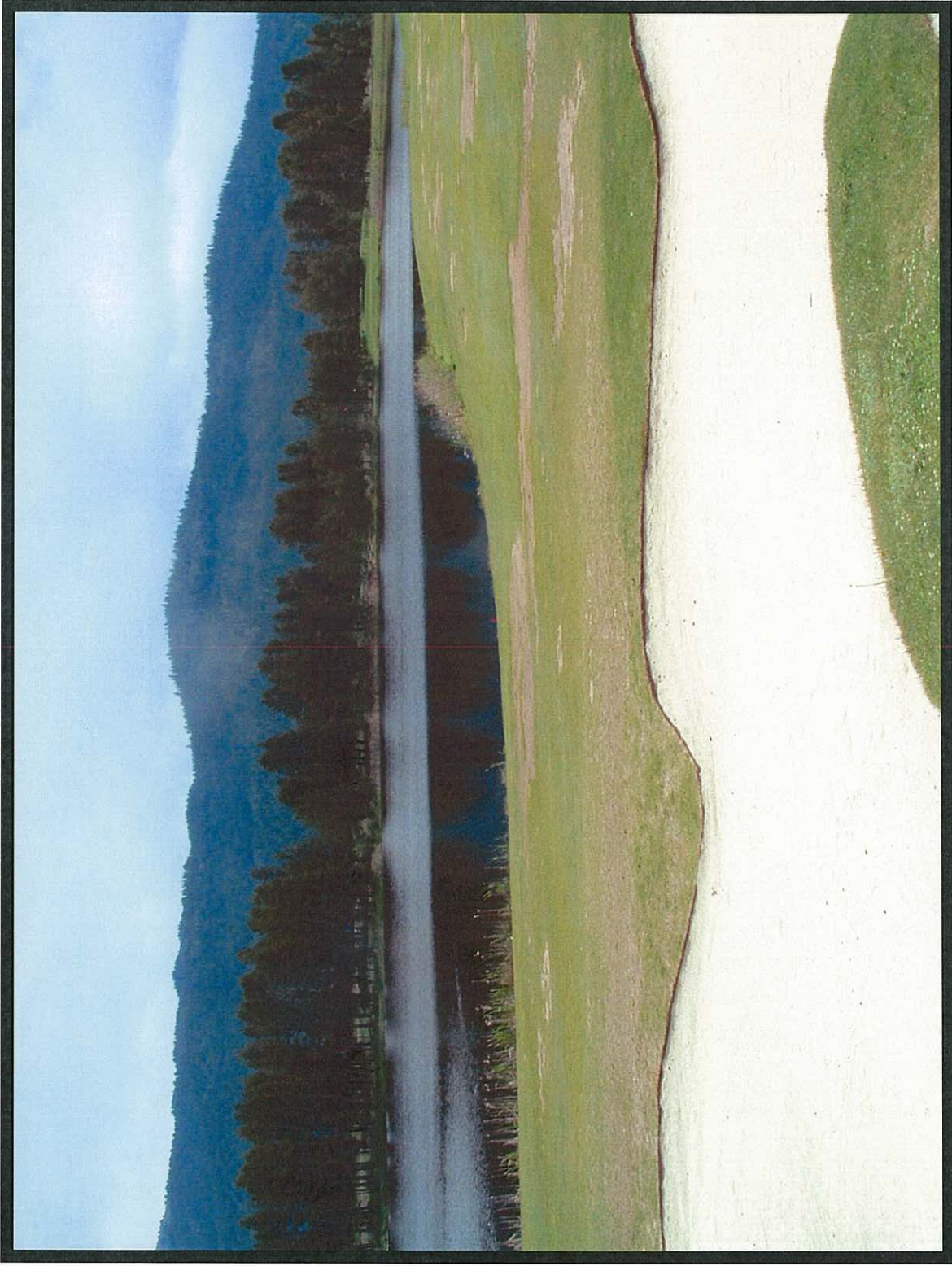
From 12th Tee Looking West



From 12th Tee Looking North



From 12th Tee Looking North-Northeast



Sand Trap on West Side of Reservoir