

MEMO

TO: File 37-8613A and 37-8810

FROM: CPadilla

DATE: August 19, 2010

RE: Licensing Review Memo

Time Line:

April 3, 1990: Application for Permit 37-8613A received at the department

May 2, 1991: Permit 37-8613A approved

May 3, 1993: Application for Permit 37-8810 received at the department

September 3, 1993: Permit 37-8810 approved

May 2, 1996: Proof of Beneficial Use received for 37-8613A

August 18, 1998: Proof of Beneficial Use received for 37-8810

November 9, 2005: Field exam conducted for 37-8613A and 37-8810

Summary of FE Findings

There are two wells that provide water to the domestic lots (in-house and irrigation), clubhouse/restaurant, rec center and to four employee-housing units. The system capacity is limited to 2.23 cfs based on measurements taken at the time of the field exam.

POU Overlap Analysis—there are several rights that cover the irrigation of the golf course and common areas within the subdivision using Big Wood water and one from groundwater, 37-2623. Zach at Brockway wondered if these permits could cover the landscaping located in the circles that break-up the roads in the subdivision. I told him that these permits were intended for irrigation so long the land was connected with a domestic use and they would not be covered. He mentioned that he may need to include them in the pending transfers on file with the dept. as they are not covered by any other right at this time.

There was one right that was found during the overlap analysis for the subdivision. Right 37-4F from surface water and re-diverted from GW is appurtenant to Lot 57. This lot is 2.33 acres so the two rights won't be stacked and can be used on different acres...no overlap conditions apply.

Right	Acres	Div. Rate	Volume	Status	Priority
37-4F	1	0.09	3.5	Recommended	1883—A transfer was completed in 2001 (66101)

PD Summary

Tag #	Location	Rights that Use PD	Uses
W313088 or E0009079	NESENW Sec. 20 3N 18E	37-4F, 37-8613A, and 37-8810	Domestic, Fire Protection, Irrigation
W313859	NWSWNE Sec. 20 3N 18E	37-4F, 37-8613A and 37-8810	Same as above

Right 37-4F is diverted from both wells W313088 and W313859 (see attached transfer app for proof). Right 37-2623 came up in my PD overlap analysis but I was able to confirm that it is diverted from a separate well (see attached affidavit).

Conditioning

Comment	Water Permit Condition Report 37-8810
PDs GPSd no description needed in conditions. The volume limit will be a combined limit.	1. Two points of diversion are located within SWNWNW, S28, T03N, R18E. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per unit in accordance with Section 42-111 Idaho Code.
Condition not necessary—remove	2. 01G Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
Don't carry to license—wells already constructed	3. 46B The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
Don't carry to license—wells already constructed	4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Condition for permits only	5. 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.

Comment	Water Permit Condition Report 37-8613A
PDs GPSd no description needed in conditions. The volume limit will be a combined limit.	1. Two points of diversion are located within SWNWNW, S28, T03N, R18E. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per unit in accordance with Section 42-111 Idaho Code.
Condition not necessary—remove	2. 01G Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
Inactive	3. 052 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
Don't carry to license—wells already constructed	4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Condition for permits only	5. 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.
Inactive-use R63 (0.02 cfs 3.5 afa/acre)	6. 03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
Inactive	7. 053 The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
Change to R55	8. 051 Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
Use 132	9. Use of water for domestic purposes under this permit shall be limited to in-house use and watering of household stock.
Inactive	The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
Use a modified 070	Irrigation use described in this permit and any subsequent license authorizes irrigation of not more than one-half acre associated with each completed and occupiable residence. Land irrigated must be a part of the lot upon which each residence is built.

Volume and Diversion Rate

37-8613A

Volume based on field examiners recommendations

37-8810

Volume for domestic use is calculated as follows:

Volume Requirement

1 home x 1.2 af = 1.2 afa

6 other domestic uses x 0.6 af = 3.6 afa

Total 4.8 afa

Amendment Needed? Yes (POU and PD for both permits)

POU Description

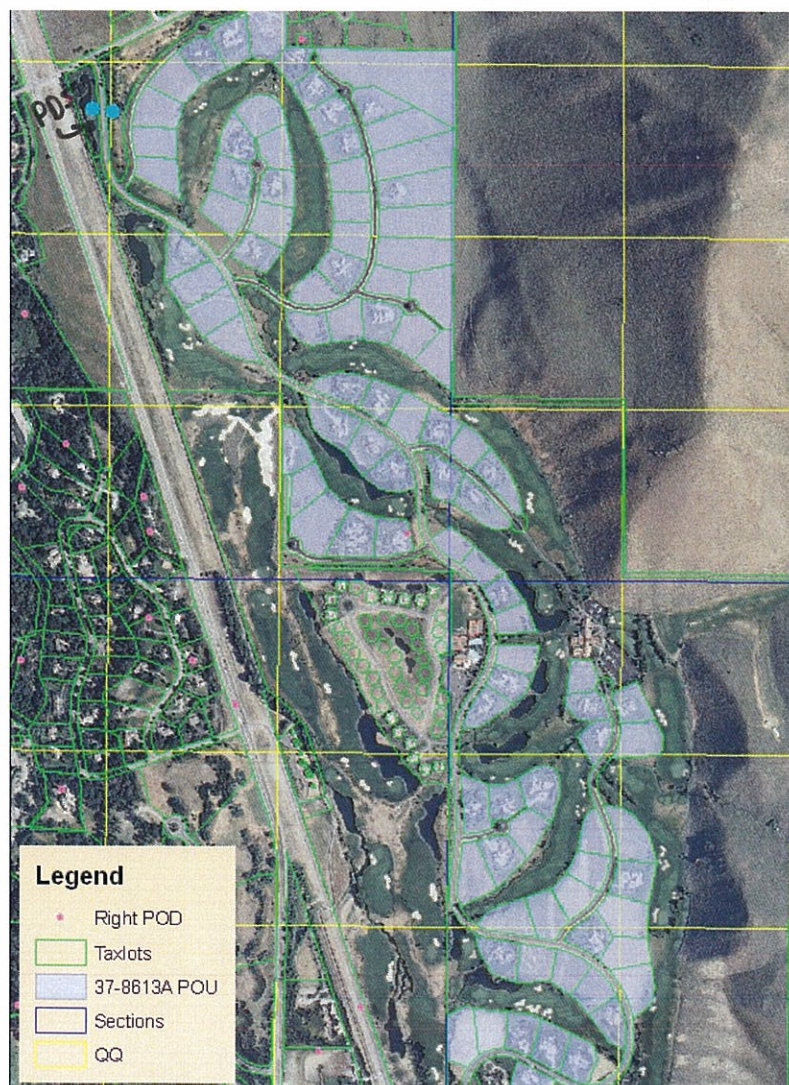
37-8613A Irrigation/Domestic

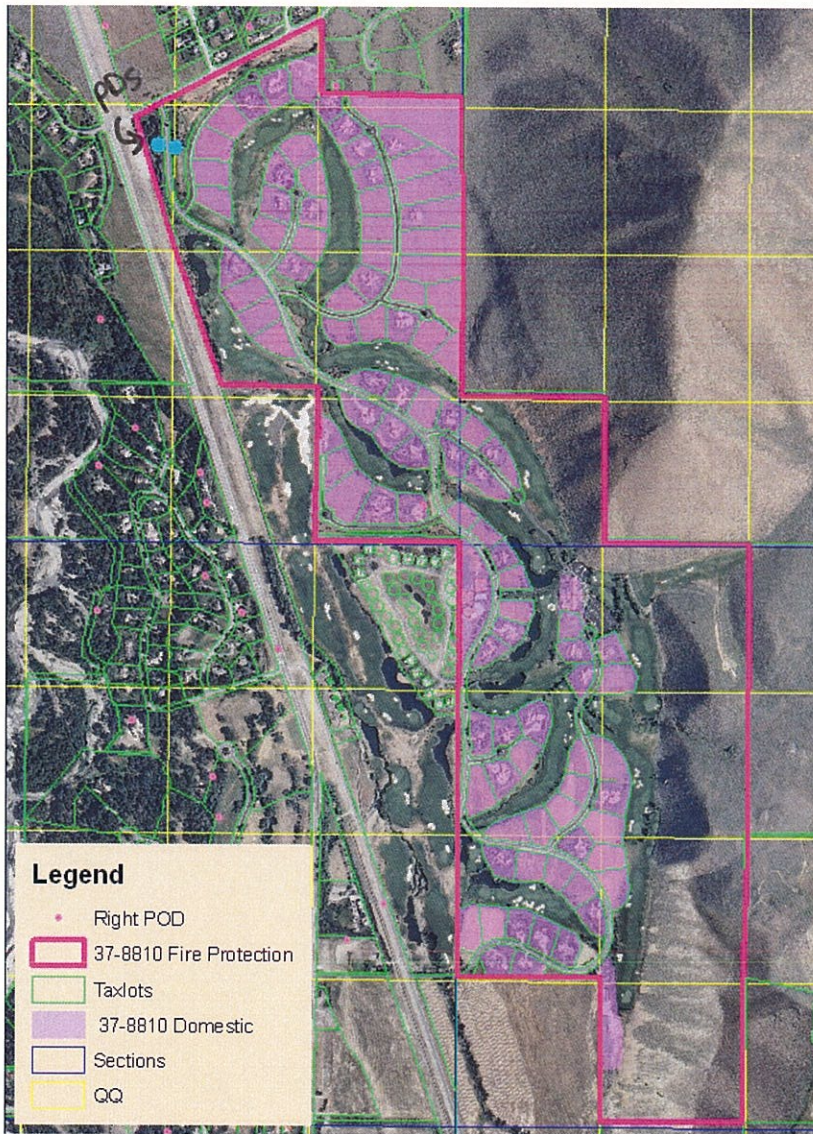
This permit was approved with domestic and irrigation for ½ acre per lot for 98 lots. This makes for a total irrigated area of 49 acres. Since we aren't sure what specific land will be irrigated per lot, it is much easier to license this right with a PPU that will cover the entire area that covers 98 lots. When I select the taxlot layer in ArcMap and focus on lots 1-98, I get a total of 187.2 acres. This right will be licensed with a POU of 187.2 acres for irrigation and limited to 49 acres and further restricted to ½ acre per lot. The POU will be the same for both domestic and irrigation.

37-8810 Domestic/Fire Protection

The place of use for domestic use covers 99 lots, the rec center, the clubhouse/restaurant, and the employee housing of 4 units. Zach of Brockway Engineering confirmed the location of the employee housing units by phone. Since 37-8613A and 37-8810 will overlap the same 98 lots, a combined limit will be added to the licenses. The place of use for fire protection should encompass the whole area within the subdivision. On the attached map, notice that there are parcels that go outside the domestic POU but is within the subdivision boundary.

JPEG of POU/PD





Form 222
7/92

Transfer No.

5734

66101

RECEIVED

MAY 05 2000

Department of Water Resources
Southern Region

CEI

MAR 13 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant: The Cross Creek Trust

Phone: 1-208-726-5608

Post Office address: P.O. Box 419, Sun Valley, Idaho 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other (change source, split right)

2. Describe the reason for the proposed changes: Applicant desires to move portions of a water right presently diverted through the Hiawatha Canal to the central water system for The Valley Club in Blaine County, Idaho to be used to irrigate a portion of Applicant's Lot 57 of The Valley Club.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount	Nature of Use	Period of Use	Volume
37-00004F	March 24, 1883	0.03 cfs	irrigation	April 1 to November 1	
A37-00004F	March 24, 1883	0.03 cfs	irrigation	April 1 to November 1	

2. Total amount of water being transferred: 0.03 cubic feet/second and/or _____ acre-feet per annum.

3. Source of water: ground water tributary to _____

4. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	NW	20	3N	18E	Blaine	2 wells - The Valley Club central water system ←

5. Lands Irrigated or Place(s) of Use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	20																1	1

Total acres: 1

MICROFILMED

JAN 20 2007

5734/66101

6. General Information:

a. Description of diversion system, 2 wells & pumps, concrete holding tank, buried mainline, sprinkler irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The land is within Dove Meadows Subdivision which was annexed into the City of Hailey and is served by the City's municipal water system. Irrigation within the Subdivision is limited to no more than one-half acre with each lot. No portion of the water right which is the subject of this Application will be used within the Subdivision.

* d. Remarks: The new point of diversion will be the wells which are the source of water for The Valley Club central water system which is owned by The Valley Club Owners Association, the non-profit corporation whose members are the owners of the residential lots in The Valley Club, a planned unit development. Water Rights Nos. 37-08613A and 37-08810 are also delivered through this system. The Association has granted Applicant permission to deliver its water right through this system since it eliminates the requirement to drill another well within the development. The location of Applicant's Lot 57 and the approximate locations of the two (2) wells and holding tank for the domestic water system are marked on a copy of the Plat included with this Application. Applicant proposes that 0.092 cfs of 37-00004A/A37-00004C continue to be delivered into the Hiawatha Canal with the requirement that it not be diverted out of the Canal, to provide recharge or mitigation for the diversion of 0.03 cfs of ground water. The Canal is located just down gradient from The Valley Club.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said Application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____.

MICROFILMED

JAN 24 2002

supplies to what now is known as The Valley Club Golf Course (the "TVC Course") in Hailey, Idaho.

* 2. The TVC Course was originally developed by entities other than the current owner, The Valley Club, Inc.. My engineering services were provided to the Wood River Country Club Partners ("Partners"), which was developing the property as the Valley Ranch subdivision and golf course in the early to mid-1990s. The TVC Course water supply was obtained through acquisitions and transfers of several surface water irrigation rights from the Big Wood River (37-00577, 37-00494, 37-00495, and 37-0083K) to the Hiawatha Canal, and of a supplemental ground water right (37-02623). The surface water rights are pumped from the Hiawatha Canal into a pressurized pipeline and distributed through several ponds with interconnecting channels and the irrigation component is thereafter distributed to individual sprinkler heads using irrigation pumps and distribution system. The ground water right is pumped and commingled with the surface water in the distribution system when and to the extent that the surface water supply is reduced in priority by the watermaster.

3. The changes to the original water rights acquired for use on the TVC Course were accomplished through administrative transfers by the Idaho Department of Water Resources. Surface water rights 37-00577, 37-00494, 37-00495, and 37-0083K were transferred by Transfer No. 3742. The ground water right, 37-02623, was transferred by Transfer No. 3743. I assisted Partners in obtaining each of these transfers.

4. Transfers 3742 and 3743 were interrelated and proposed to change the place of use, point of diversion and purpose of use of the respective rights to permit irrigation of the TVC Course and provide aesthetic and recreational amenities (connecting stream channels and water hazards) and to mitigate the evaporative losses from ponds. Transfer 3742, which involved the surface water rights, was protested by the Big Wood Canal Company (the "Canal Company") through its manager, Mr. Dick Oneida. I was the key contact with Mr. Oneida on behalf of Partners in negotiating an agreement between the two parties resulting in the Canal Company's ultimate withdrawal of its protest of Transfer 3742.

This not describe Valley Club's domestic system

56087

1. DRILLING PERMIT NO. 37-94-S-0089-000
Other IDWR No. 37-08810

2. OWNER:
Name Valley Ranch Partners
Address % EHM Engineers 621 N College
City Twin Falls State ID Zip 83301

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 3 North ☒ or South ☐
 Rge. 18 East ☒ or West ☐
 Sec. 20, SW 1/4 NE 1/4 1/4
 Gov't Lot _____ County Blaine

Address of Well Site Valley Club Drive

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name The Valley Club
Parcel B

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Cement grout	0	20	60 sk	Overbore

Was drive shoe used? Y ☒ N ☐

Was drive shoe seal tested? Y ☐ ~~N~~ ☒ How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10.75	+3	140	365	Steel	☒	☐	☐	☒
					☐	☐	☐	☒
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method _____ Knife _____

☐ Screens	Screen Type
----------------------------------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Lines
64	136	$\frac{7}{8} \times 1\frac{1}{2} \pm$	750			☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

6.4 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: _____

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
657	31 ft.	79 feet	7½ hr.

Water Temp. 48 Bottom hole temp. _____

Water Quality test or comments:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

T3: DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Walker Water Systems, Inc.

Firm Name 624 Pierce Street Firm No. 15

Twin Falls, Idaho 83301

Firm Official _____ Date 7/28/94

and

Supervisor or Operator [Signature] Date [Signature]

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



2009 Imagery

Valley Club Subdivision
 with Parcels and Parcel #5.
 The lodge + employee housing
 units were hand-drawn as
 they don't have separate lots.



Valley