

MEMORANDUM

To: Water Right File Nos. 11-7399 and 11-7424
From: Aaron Marshall
Date: November 27, 2007
Re: License Processing

Chronology:

Water right permit no. 11-7399 was issued to Bear Lake West Property Owners Assn on January 18, 1994, for domestic use of 0.33 cfs for 50 homes. Water right permit no. 11-7424 was issued to Bear Lake West Property Owners Assn on November 7, 1994, for domestic use of 0.33 cfs for 50 homes in an additional subdivision phase.

Proof of beneficial use was received on October 27, 1997, for both permits totaling 0.66 cfs for domestic use and 100 homes.

A beneficial use field examination was completed by Keith Wilson on August 10, 2005 for both permits. Keith completed the beneficial use field report and created GIS shape files for the places of use and points of diversion on August 19, 2005. Keith found two ground water wells providing water to the same distribution system and measured the total flow at 0.67 cfs. At the time of examination, 118 residences used the system for domestic water.

Applications for amendment of permit nos. 11-7399 and 11-7424 were received on November 8, 2006 to change the points of diversion, add points of diversion, change the places of use, and change the nature of use from domestic to municipal.

Nate Arave completed a review of the field report and provided an amended field report on October 23, 2007 to correct a typographical error in the point of diversion location description.

Analysis:

I confirmed with the Idaho Department of Environmental Quality that the points of diversion identified for these two rights have PWS nos. ID6040005 and ID6040044. Bear Lake West Property Owner's Association qualifies as a municipal provider under 42-202B(5)(c), Idaho Code. The change in nature of use from domestic to municipal will be reflected on the licenses.

The combined diversion rate from the two wells measured during the field examination was 0.67 cfs. The combined diversion rate for permit nos. 11-7399 and 11-7424 is 0.66 cfs. Therefore, each water right will be licensed as permitted with a maximum diversion rate of 0.33 cfs.

Since the original permits were for domestic use, the licenses for municipal use will have an annual volume limit. Each license will be limited to 60.0 acre-feet annually since each permit was issued for 50 homes and IDWR provides 1.2 acre-feet per year per home for in-home use and irrigation associated with each home.

The applications for amendment of permit will be processed as licensing amendments and will not require any additional fees. Conditions of approval and a map depicted the place of use will be attached to the applications.

Licenses will be issued reflecting the beneficial use, points of diversion, and places of use as indicated on the applications for amendment of permit.