

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 67-14496

Priority: February 02, 2005

Maximum Diversion Rate: 0.18 CFS

This is to certify, that COUNCIL MOUNTAIN GOLF COURSE
C/O SAM DAVIS
PO BOX 103
COUNCIL ID 83612

has applied for a permit to appropriate water from:

Source: COOL CREEK
GROUND WATER

Tributary: WEISER RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		125.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.18 CFS	
AESTHETIC	01/01 to 12/31	0.18 CFS	
AESTHETIC FROM STORAGE	01/01 to 12/31		25.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
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COOL CREEK	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	NE¼NE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	SW¼SE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	SW¼SE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County
COOL CREEK	SW¼SE¼ Sec. 22, Twp 16N, Rge 01W, B.M.	ADAMS County

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 67-14496

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 01W 15															X		
16N 01W 22	X																

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 01W 22	X																

PLACE OF USE: AESTHETIC FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 01W 15															X	X	
16N 01W 22	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2010**.
2. Subject to all prior water rights.
3. This right authorizes the impoundment of water from Cool Creek in a series of on-stream reservoirs and the circulation of storage water from Cool Creek to off-stream storage sites and back again. This right also authorizes the diversion of 0.18 cfs from ground water to replace seepage and evaporation losses in the reservoir system.
4. The storage of water under this right is contingent upon the certification of the dam(s) and authorization of storage per the dam safety provisions of the Idaho Code.
5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. 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. 67.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
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CONDITIONS OF APPROVAL CONTINUED

8. 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 system of reservoirs and the amount of water released from the reservoirs.
9. The right holder shall not impound additional water from Cool Creek under this right after June 15 of each year without prior approval of the watermaster.
10. Impoundment of additional water from Cool Creek after June 15 of each year in violation of the conditions of this water right is cause for the director to cancel or revoke this water right.
11. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of September, 2005.


FOR KARL J DREHER, Director

RECEIVED

RECEIVED

RECEIVED

AUG 30 2005

FEB 02 2005

MAR 28 2005

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGIONIdent. No. 67-14496

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Sam Davis / Council Mountain Golf Course Phone 208-566-0234
Mailing address P.O. Box 103 Council Idaho 83612
2. Source of water supply Cool Creek / ground water which is a tributary of Weiser River / N/A
3. Location of point of diversion is Township 16N Range 1W Sec. 22 in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot Adams County;
additional points of diversion if any: SWSE 15 T16N R1W
4. Water will be used for the following purposes:
Amount .18 for diversion to storage purposes from to (both dates inclusive)
(cfs or acre-foot per annum)
Amount .18 for Aesthetic purposes from to (both dates inclusive)
(cfs or acre-foot per annum)
50 125 - Amount 225 for Aesthetic storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-foot per annum)
50 25 - Amount 225 for Aesthetic from storage purposes from to (both dates inclusive)
(cfs or acre-foot per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-foot per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) .18 cubic feet per second and/or (b) 225 125 50 acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source existing well, on stream
dams, pump + pipeline
- b. Height of storage dam 3 50 feet; active reservoir capacity 225 125 50 acre-feet; total reservoir capacity 225 125 acre-feet
- Existing c. Proposed well diameter is 6 inches; proposed depth of well is 222 400-500 + feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? 1994; Drilling firm Uhlenkott
Well was drilled for (well owner) Fred Muller; Drilling Permit No. 67-14-1-0060-00
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. ponds for golf course amenity

* SAME well as license 67-7029, pre-1987

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	1W	15															J	J	—
		22	J																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 67-7029
& Sorensen - Rhinehart Ditch shares cover storage @ older Pond (SESE 5.15/NENE 5.22)

11. a. Who owns the property at the point of diversion? Applicant
 b. Who owns the land to be irrigated or place of use? Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Remodeling Existing golf course. Creek will provide initial fills of on stream ponds. Well will maintain system for non-irrigation use. A portion of storage water will be used to recirculate water between ponds. Water master curtailment of storing additional water from creek after June 15 should not be a problem since creek is mostly early runoff source that dries up by summer. ~~DP 67-14-W10060-000 fee upgrade of 1/2 hrs will be paid~~

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature] owner
 Signature of Applicant (and title, if applicable)

Received by SL Date 2/2/05 Time 1 pm Preliminary check by SL
 Fee \$ 330 Receipted by SL for DR # W032308 Date 10/15/04
 Publication prepared by SL Date 4-6-13-05 Published in THE RECORD
 Publication approved SL Date 5-19-05

PER original Appl.
 \$290 PER amended appl., balance REFUNDABLE

COUNCIL MOUNTAIN GOLF COURSE
PERMIT APPLICATION FOR WATER RIGHT # 67-14496

WATER STORAGE CALCULATIONS REVISED

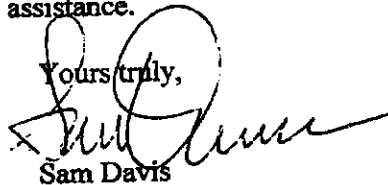
ATTENTION: STEVE

Steve,

Typed herein are the figures that I am using for my application submittal. I apologize for the delay. Please note that I am revising downward my requests and have included my calculations for your records.

Thank you again for your help and assistance.

Yours truly,



Sam Davis

$$150 \times 150 \times 20 \div 43560 = 10 \text{ acre feet}$$

$$125 \times 175 \times 15 \div 43560 = 6$$

$$100 \times 750 \times 15$$

$$50 \times 300 \times 15$$

$$75 \times 2500 \times 15$$

$$\underline{175 \times 160 \times 18}$$

= total of 125 acre feet of storage [REDACTED]

67-7029



NO gov't lots
- 82 12/30/04



67-14496
for ponds

**Prepared by Anita L. Warntjes
February 12, 2004
1993/94 True Color Photo**

RECEIVED

OCT 15 2004

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Sam Davis / Council Mtn G.C.

Mailing Address

P.O. Box 103
83612 Council, Idaho 83612

Application No.
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

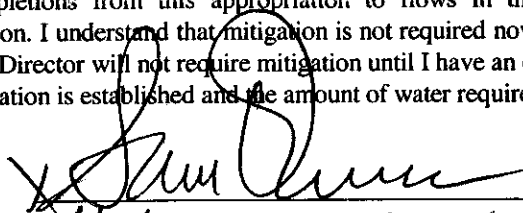
☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date

10/8/04 Amended to Feb 1, 2005

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
~~Anna D. Nelson~~
2735 Airport Way
Boise, ID 82705-5082

RECEIVED

OCT 15 2004

FORM 202
12/99WATER RESOURCES
WESTERN REGION

Ident. No.

67-14496

~~67-7024~~STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

566-0234

1. Name of Applicant Council Mtn G.C. Sam Davis Phone 253-6908
Mailing address P.O. Box 103 Council, Idaho 83612
2. Source of water supply Well + Cool Creek runoff which is a tributary of Weiser River
3. Location of point of diversion is Township 16N Range 01W Sec. 22 in the NE $\frac{1}{4}$,
 $\frac{1}{4}$, $\frac{1}{4}$, Govt. Lot _____, B.M., ADAMS County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 225 for Aesthetic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 225
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Well + Ponds on
golf course varying in size
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? 1994; Drilling firm Uhlenkott Drilling;
Well was drilled for (well owner) Ferd Muller; Drilling Permit No. 6794W0060000
7. Time required for completion of works and application of water to proposed beneficial use is 4 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. Aesthetic ponds on golf course

ORIGINAL

SEE
AMENDED
APPL

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	15															14	16	30
																	5	5	
16N	01W	22	14																14
			J																

Total number of acres to be irrigated 44

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Council Mtn Golf Course - Sam Davis

b. Who owns the land to be irrigated or place of use? _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

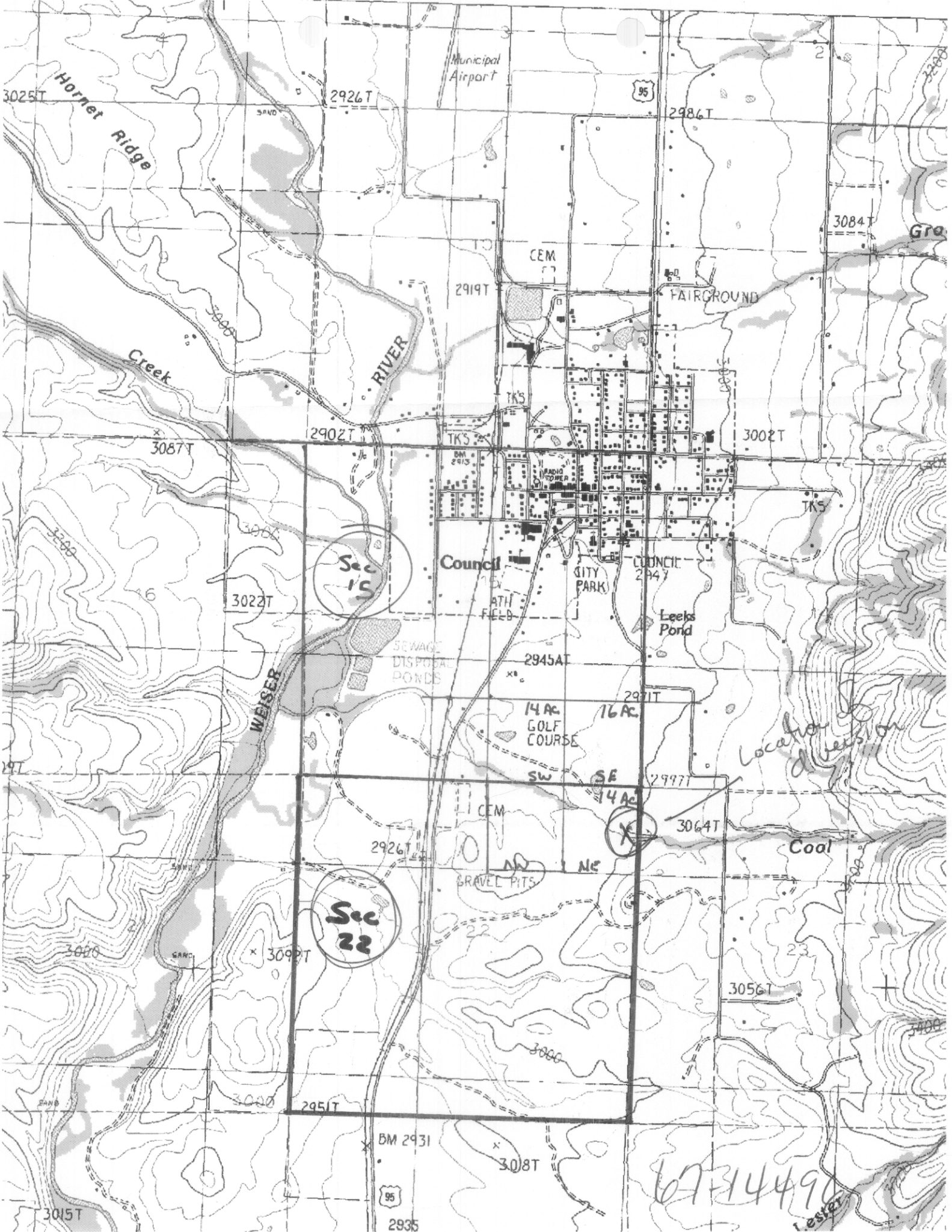
12. Remarks: We are building several ponds in the general remodeling of the golf course.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Samuel Davis
Signature of Applicant (and title, if applicable)

Received by DO Date 10-15-04 Time 11:00AM Preliminary check by _____
Fee \$ 330- Received by DO # WD32308 Date 10-15-04
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____





Location
of
diversion

67-14496

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2005

COUNCIL MOUNTAIN GOLF COURSE
C/O SAM DAVIS
PO BOX 103
COUNCIL ID 83612

RE: Permit No. 67-14496

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

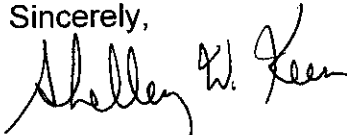
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large initial "S".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

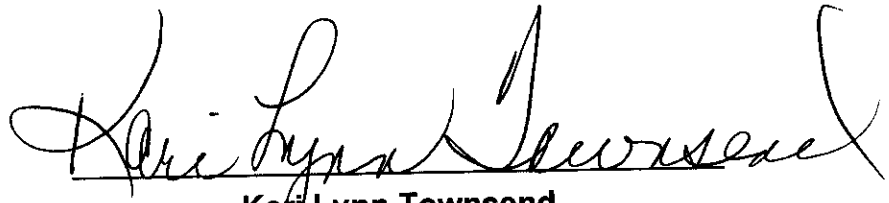
CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

67-14496

**COUNCIL MOUNTAIN GOLF COURSE
C/O SAM DAVIS
PO BOX 103
COUNCIL ID 83612**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 28, 2005

COUNCIL MTN GOLF COURSE
SAM DAVIS
PO BOX 103
COUNCIL ID 83612

Re: Application for permit #67-14496

Dear Applicant:

This letter is to acknowledge the withdrawal of the protest by Ralph & Phyllis Wilson. Our office will continue to process the application.

Sincerely,

John Westra, Manager
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 28, 2005

RALPH & PHYLLIS WILSON
1900 HWY 95
COUNCIL ID 83612

Re: Application for permit #67-14496

Dear Applicant:

This letter is to acknowledge the withdrawal of the protest by Ralph & Phyllis Wilson. Our office will continue to process the application.

Sincerely,

John Westra, Manager
Western Regional Office

RECEIVED

JUL 27 2005

WATER RESOURCES
WESTERN REGION

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of June 2005, I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:

Sue Kreger
Sue Kreger
Administrative Assistant

COUNCIL MTN GOLF COURSE
SAM DAVIS
PO BOX 103
COUNCIL ID 83612

RALPH & PHYLLIS WILSON
1900 HWY 95
COUNCIL ID 83612

ATTN: JOHN WESTRA

TO: IDAHO DEPT. OF WATER RESOURCES
FROM: RALPH & PHYLLIS WILSON
RE: PERMIT NO. 67-14496

WE HEREBY RETRACT OUR PROTEST
FOR THE REFERENCED WATER PERMIT.

7-25-05 Ralph Wilson
Phyllis Wilson 7-25-05

~~NOTICE OF PREHEARING CONFERENCE~~ 2

Protest withdrawn

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 67-14496 IN THE)
NAME OF COUNCIL MOUNTAIN)
GOLF COURSE)
_____)

**NOTICE OF PREHEARING
CONFERENCE**

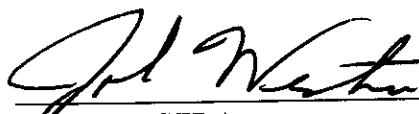
On February 2, 2005 Council Mountain Golf Course filed with the Department of Water Resources (IDWR) an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Ralph &/or Phyllis Wilson.

IDWR has scheduled a prehearing conference for the protest to be held on **Tuesday, August 9, 2005 at 10:00 am at the Adams County Courthouse, 201 Industrial Ave., Council Idaho 83612.** At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise IDWR at least ten (10) days prior to the conference.

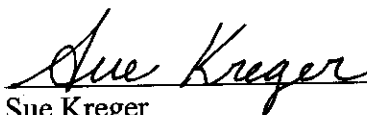
Dated this 20th day of June 2005.



JOHN WESTRA
Western Regional Manager

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of June 2005, I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:

A handwritten signature in cursive script that reads "Sue Kreger". The signature is written in black ink and is positioned above a horizontal line.

Sue Kreger
Administrative Assistant

COUNCIL MTN GOLF COURSE
SAM DAVIS
PO BOX 103
COUNCIL ID 83612

RALPH & PHYLLIS WILSON
1900 HWY 95
COUNCIL ID 83612

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a preliminary order for the Director's consideration. Parties can file exceptions to a preliminary order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a preliminary order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

June 3, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RALPH &/OOR PHYLLIS WILSON
1900 HWY 95
COUNCIL ID 83612

Re: Application for Permit No. 67-14496 in the Name of Council Mountain Golf Course

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest. IDWR will schedule a conference in the near future if the protest has not been resolved.

If this office can be of further assistance, please contact us.

Sincerely,


for JOHN WESTRA
Western Regional Manager

JW:sk

Encl: Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

6/3/05

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COUNCIL MOUNTAIN GOLF COURSE
C/O SAM DAVIS
PO BOX 103
COUNCIL ID 83612

Re: Application for Permit No. 67-14496

Dear Applicant:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to the above-referenced applications.

The following are the criteria the department must consider in either approving or denying an application for permit (per Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the protestant(s) directly in an effort to determine what is in dispute in the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest. A prehearing conference will be scheduled in the near future.

Please contact this office if you have questions regarding this procedure.

Sincerely,


JOHN WESTRA
Western Regional Manager

JW:st

Enclosure: Copy of protest(s)

'EGAL NOTICE

APPLICATION FOR NEW WATER RIGHT

Council Mtn. Golf Course C/O Sam Davis, PO Box 103, Council ID 83612 filed Application No. 67-14496 on 10/15/2004 to appropriate the public waters of the State of Idaho in T16N R1W, Adams County as follows:

Ground water (existing well) and Cool Creek tributary to Weiser River for aesthetic use to maintain twelve storage ponds for year around uses at the golf course. Project will include 0.18 cfs and 125 af of storage. Ten of the ponds will be built on Cool Creek, but two of the ponds already exist away from the creek. Those two ponds are filled from existing irrigation water rights. Some of the storage water will be recirculated between all the ponds. Creek water will be used to fill the onstream ponds until runoff declines, and then the well will maintain the system. Diversion and use of water will be in SE π Section 15 and NE π Section 22, south of Council and east of Hwy 95.

Permit will be subject to all prior water rights, including but not limited to the following: use of any natural flow in Cool Creek after June 15 each year will be subject to curtailment by the Weiser River Watermaster to deliver water to downstream senior water rights. For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov <<http://www.idwr.idaho.gov>> with detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against approval of the application must be filed with IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 on or before May 9, 2005. The protestant must also send a copy of the protest to the applicant.

Published in The Adams County Record April 21, 2005 and April 28, 2005

RECEIVED

STATE OF IDAHO)
) SS
COUNTY OF ADAMS)

MAY 18 2005

WATER RESOURCES
WESTERN REGION

Jennifer L. Ferrell being duly sworn, deposes and says That she is the Principle Clerk of The Adams County Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Adams County Record.

for Three (3) insertion(s) beginning with the issue of April 14, 2005 and ending with the issue of April 28, 2005.

Jennifer L. Ferrell

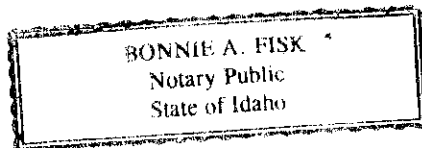
Subscribed and sworn to before me this 10th day of May, 2005

Bonnie A Fisk

Notary Public for Idaho, Residing at:

MY COMMISSION EXPIRES
November 21, 2009

BONDED THRU NOTARY PUBLIC UNDERWRITERS



STATE OF IDAHO
COUNTY OF ADAMS

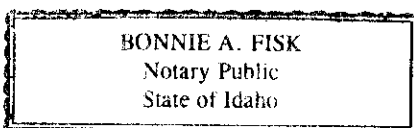
On this 10th day of May, in the year of 2005, before me a Notary Public, personally appeared Jennifer L. Ferrell known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Bonnie A Fisk

Notary Public of Idaho

Residing at Council, Idaho

My commission expires: November 21, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS



5/18/05

April 19, 2005

RECEIVED

APR 21 2005

WATER RESOURCES
WESTERN REGION

Director, Dept. of water resource, Western div.
2735 Airport WY.
Boise, Id. 83705

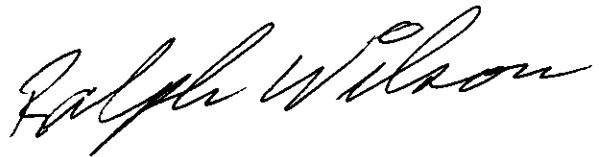
Re: Application 67-14496 to appropriate water rights in township 16 north, range 01 west in Adams county.

My wife and I own the NW1/4 of the NE1/4 of section 22 in T16N, R01W (40 acres). We have water rights from Cool creek but during July and August there is no water flow at our point of usage. Now if you grant more upstream usage our dry months will become even greater. Furthermore, there has not been any published data concerning the environmental impact on the Cool Creek area by the establishment of the 10 ponds referenced in the application. Therefore we protest the referenced application by Council Mt.. Golf Course.

We also protest the abbreviation of the notification period, prescribed by law, in this case by the department of water resources. To wit, the first published note was April 14, 2005 and the second (not yet published) on April 21, 2005. Then you require a response by April 25, 2005.

cc: Council Mt.. Golf Course C/O Sam Davis
Pobox 103
Council, Id. 83612

Ralph Wilson



Phyllis Wilson



1900 Hwy 95
Council, Id. 83612

\$25- DB 4-21-05 W032834

Idaho Department of Water Resources Receipt

Receipt ID W032834

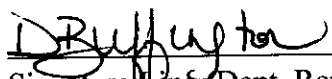
Payment Amount \$25.00 Date Received 4/21/2005 2:11:19 PM Region Western Status ☐
Payment Type Check Check Number 3347

Payer WILSON, RALPH (OR) PHYLLIS

Comment NOTICE OF PROTEST: 67-14496

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	PROTESTS	0229	21	62103	1155



Signature Line (Dept. Representative)

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application Number: 67-14496

Applicant's Name: Council Mountain Golf Course

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows:

Water in Cool Creek may be shut off before June 15 as it almost dries up earlier on some years.
Applicant also needs to be aware of water rights down stream of them!

- c) ☐ I oppose approval of this application for the following reasons:

Additional Comments:

Dated this 18 day of April, 2005

Water District Number 67 Watermaster's Signature Bosco Bosler

A handwritten signature in black ink, reading "Bosco Bosler". The signature is written in a cursive style with a large, sweeping underline.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 5, 2005

GREG MARTINEZ
CORPS OF ENGINEERS
304 N 8TH ROOM 140
BOISE ID 83702-5820

Re: Water Right Application

Enclosed is a copy of an application(s) that may be of interest to you. Also enclosed is a diagram that should help clarify the application. Please review the application(s) submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by April 25, 2005.

If you have any questions regarding the application, please contact this office.

Sincerely,

Sue Kreger
Administrative Assistant

Encl. Copy of Application

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Tuesday, April 05, 2005 11:05 AM
To: 'boscob@ruralnetwork.net'
Subject: comment letter

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

April 5, 2005

BOSCO BOSLER
2711 SHOEPEG RD
MIDVALE ID 83645

Re: Application(s) for Water Right

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,



Copy of
commendation of Wa



67-14496.pdf

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Monday, April 04, 2005 10:56 AM
To: 'eleitzin@idfg.state.id.us'
Subject: comment letters

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

April 4, 2005

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Applications for Permit

Dear Eric:

I have quite a few again so I will try half at a time. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by April 25, 2005.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,



67-14496.pdf



71687.pdf



78-12226.pdf



79-14097.pdf



79-14115.pdf

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Monday, April 04, 2005 10:59 AM
To: 'eleitzin@idfg.state.id.us'
Subject: comment letters (page 2)



61-12062.pdf



63-32066.pdf



65-22941.pdf



65-22942.pdf

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

March 30, 2005

Legal Notice Department
RECORD
PO BOX R
COUNCIL ID 83612

RE: Application for Permit No. 67-14496

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 05/9/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

APPLICATION FOR NEW WATER RIGHT

Council Mtn. Golf Course C/O Sam Davis, PO Box 103, Council ID 83612 filed Application No. 67-14496 on 10/15/2004 to appropriate the public waters of the State of Idaho in T16N R1W, Adams County as follows:

Ground water (existing well) and Cool Creek tributary to Weiser River for aesthetic use to maintain twelve storage ponds for year around uses at the golf course. Project will include 0.18 cfs and 125 af of storage. Ten of the ponds will be built on Cool Creek, but two of the ponds already exist away from the creek. Those two ponds are filled from existing irrigation water rights. Some of the storage water will be recirculated between all the ponds. Creek water will be used to fill the onstream ponds until runoff declines, and then the well will maintain the system. Diversion and use of water will be in SE $\frac{1}{4}$ Section 15 and NE $\frac{1}{4}$ Section 22, south of Council and east of Hwy 95.

Permit will be subject to all prior water rights, including but not limited to the following: use of any natural flow in Cool Creek after June 15 each year will be subject to curtailment by the Weiser River Watermaster to deliver water to downstream senior water rights. For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against approval of the application must be filed with IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 on or before May 9, 2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Record on April 21 and 28, 2005.

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

March 30, 2005

Legal Notice Department
RECORD
PO BOX R
COUNCIL ID 83612

RE: Application for Permit No. 67-14496

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 04/25/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

APPLICATION FOR NEW WATER RIGHT

Council Mtn. Golf Course C/O Sam Davis, PO Box 103, Council ID 83612 filed Application No. 67-14496 on 10/15/2004 to appropriate the public waters of the State of Idaho in T16N R1W, Adams County as follows:

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KARL J DREHER, Director

Published in the Record on April 7 and 14, 2005.

MEMORANDUM

TO: Debbie Allen

FROM: Steve Lester 

DATE: March 29, 2005

RE: Refund

Coordination Technology Inc. paid \$330 for an Application for Permit on 10/15/2004. The Application was revised and resulted in a lower filing fee of \$290. A refund should be issued for the overpayment.

Please issue a \$40 refund as follows:

TO

COORDINATION TECHNOLOGY INC.
C/O SAM DAVIS
PO BOX 103
COUNCIL ID 83612

(tel. 208-253-6908)

RECEIPT #

W032308, copy attached

Copy: Application 67-14496



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2005

SAM DAVIS
COUNCIL MTN GOLF COURSE
PO BOX 103
COUNCIL ID 83612

Re: Application for Permit No. 67-14496

Dear Sam:

Enclosed is the latest version of your application regarding water for the ponds. Your March 3, 2005, fax confirmed that storage of about 125 acre-feet (af) is proposed.

Previously about 225 af of storage were listed. Approximately 20% of that amount was identified for recirculation between ponds ("45 af aesthetic from storage"). Assuming the same ratio with respect to 125 af, approximately 25 af would be used for recirculation.

Please revise the enclosed as follows:

1. Item 4: 125 af aesthetic storage, 25 af aesthetic from storage.
2. Items 5 and 6b: 125 af.
3. Initial and date these changes to authenticate them.

Please return the application within thirty (30) days from the date of this letter. This will allow a \$40 refund to be issued for a reduced filing fee based on the above changes. The application will be voided and a refund will not be issued without a timely written reply. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester
Water Rights Supervisor

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 10, 2005

SAM DAVIS
COUNCIL MTN GOLF COURSE
PO BOX 103
COUNCIL ID 83612

Re: Application for Permit No. 67-14496

Dear Sam:

Thank you for sending your amended application for the pond project. It looks good. Only one more item is needed for processing to resume.

Please provide the specifications used to determine that 225 acre feet of storage will be developed. This can include something along the lines of the following:

- total surface area (acres) to be covered by all existing and proposed ponds, including those to be on the creek plus the existing ponds located away from the creek
- average depth of ponds (feet)
- multiplying those values yields storage capacity in acre feet.

Please submit the additional information within the next thirty (30) days so that your application will not be voided. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester
Water Rights Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 30, 2004

SAM DAVIS
COUNCIL MTN GOLF COURSE
PO BOX 103
COUNCIL ID 83612

Re: Application for Permit No. 67-14496

Dear Mr. Davis:

Enclosed is information to help you prepare an amended application to cover surface and ground water sources for storage ponds at the golf course. I prepared the information based on your original application and on information in the Idaho Department of Water Resources (IDWR) file regarding the complaint investigation for your new pond(s) associated with Cool Creek.

It is my understanding that your intent is not to secure additional irrigation water but only to cover the ponds. This provides an opportunity to cover any existing ponds not already noted in your original application or covered under protection of older irrigation water rights. For example, the large pond straddling the $\frac{1}{4}$ $\frac{1}{4}$ line between SESE Sec. 15 and NENE Sec. 22 is considered to be part of your irrigation uses under licensed right no. 67-7209 and/or under shares from the Sorenson Rinehart Ditch Company water rights. Storage for that pond does not need to be included in Application 67-14496. Apparently at least one other existing pond located away from the creek also should be included in your application (see diagram in "notes" and also the original application map).

Please note the fee you already paid when determining any fees applicable to your amended application. You might be eligible for a partial refund since you already paid \$330.

I hope this information is adequate to answer any questions you might have and to allow you to complete an amended application. Your amended application should be filed within thirty (30) days to prevent voiding of the original application. More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

① COVER storage at ponds - previously existing ponds located away from creek + 2 new ponds on the creek.

② USE 1994 well + creek.

③ Recirculate stored water between ponds.

④ NO new irrigation - golf course already covered by Foreman-Riverview Ditch + irrigation well 67-7029, well is 500' deep, located in NESE Sec. 22 between creek and main irrigation pond "E" -

⑤ NEW Right for storage at Ponds B, C, D. Storage at Pond E considered covered by existing irrigation rights & does not need to be included again.

⑥ Include any other ponds already existing & planned that ARE NOT shown on diagram. Show all ponds on map.

⑦ TOTAL storage volume = total surface area (in acres) of ponds, except for Pond E X Average depth of ponds (in feet)

if overall Average depth too complicated, list for each pond: $\text{AREA} \times \text{Average depth} = \text{AF}$, then sum for TOTAL

Volume = Acres x feet = Acre feet (AF)

⑧ Rate of flow from well to any pond(s) -

Show as cubic feet/second (cfs) where

$$1.00 \text{ cfs} = 448.8 \text{ gpm}$$

$$\text{So } \frac{\text{gpm}}{448.8} = \text{cfs rate to list on Application.}$$

⑨ Points of Diversion

- a) Well SWSE Sec. 15? Well log lists that location, is it correct?
- b) checkdams in creek for 2 ponds on creek - both in NWSE Sec. 22?
- c) mark all 3 diversion points on map ← SEE "Amended Appl" blank form for map to use

⑩ WATER USES & Amounts of Water

- a) Diversion to Storage — cfs
- b) Aesthetic — cfs
- c) Aesthetic storage — AF
- d) Aesthetic from storage — AF
- e) The 2 cfs terms ARE not additive - Example:

1.0 cfs Div. to storage
 1.0 cfs Aesthetic

 total 1.0 cfs

well to ponds } fill/maintain ponds
 " " " }
 capacity of all ponds except pond E
 use some stored water to recirculate between some/all ponds

- f) the 2 AF terms ARE not additive - Example:

50 AF Aesthetic storage
 25 AF Aesthetic from storage

 total 50 AF

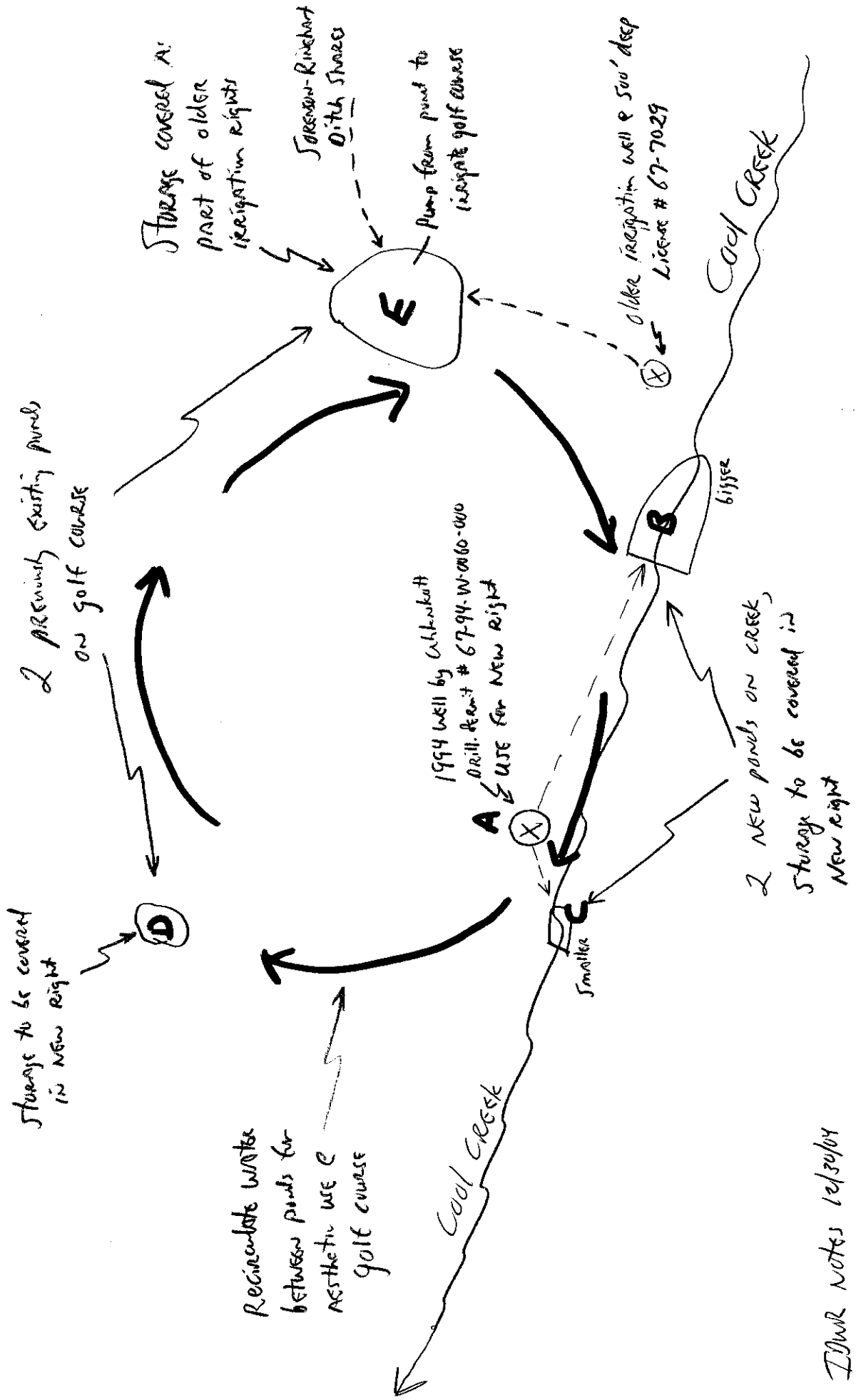
11) FEES

- for total water amended appl \$ 3
 - for 1994 well drilling permit upgrade + \$ 165
 - minor 10/15/04 payment - 330
 =

since was issued as domestic well where water right not required, so need upgrade where right required
 to pay OR for Refund

Ponds & golf course

not to sink



DMR notes 12/30/04

Idaho Department of Water Resources Receipt

Receipt ID W032308

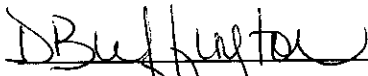
Payment Amount	\$330.00	Date Received	10/15/2004 11:06:53 AM	Region	Western	Status	☐
Payment Type	Check	Check Number	2364				

Payer COORDINATION TECHNOLOGY INC

Comment APPLICATION FOR PERMIT: COUNCIL MTN GOLF COURSE / SAM DAVIS

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$330.00	PERMITS	0229	21	62103	1155



Signature Line (Dept. Representative)