

MEMORANDUM

Date: November 19, 2025
To: Water Right File 37-8365
From: William Mills *W.S. 7/31/2026*
Re: Licensing Review of Water Right 37-8365 CWRE Beneficial Use Field Report

The field Exam for this right was performed by Certified Water Right Examiner (CFE) Charles E. Brockway of Brockway Engineering, PLLC in 2004.

Overlap

POU:

There is no overlap with other water rights within the actual location where this right was developed. This water right was developed in a different location than it was originally permitted. The license will be amended to reflect the actual place of use where it was developed and put to beneficial use.

POD:

No other water rights are associated with this well.

Amendments

The developed POU is located in the ~~NENW~~ *NWNE W.S.* of Sec. 23, Twp 01S, Rge 17E.

This right was originally permitted in the NWSW, SWSW of Sec. 13 and the NENE of Sec. 23, Twp 01S, Rge 17E.

The POD is also located in the NENWNE of Sec. 23, Twp 01S, Rge 17E. This location was verified by Greg Sullivan of Brockway Engineering PLLC and Rod Gonzales, Ranch Manager for South Cove Ventures LLC.

The POD was originally permitted in the NWNENE of Sec. 23, Twp 01S, Rge 17E.

Diversión Rate

It should be noted that this was a “forensic” field exam (originally permitted in 1992) and much of the developed system was in disrepair and in 2004 the CFE was attempting to reconstruct what was developed as accurately as possible to determine the full extent of the developed beneficial use.

In the CFE’s field report, he indicated the well is an artesian, low-temperature geothermal well. The CFE measured the well’s flow rate by placing a trapezoidal flume in the channel approximately 50’ downstream of the well. The discharge was reported as 109 gpm (0.24 cfs). He also measured the water temperature at the well head at 167° F and at 146° F in a pool near the well head.

The water permit authorized 0.14 cfs for commercial use, 0.27 cfs for heating, 0.14 cfs for aesthetic use and a total diversion of 0.41cfs.

The commercial use applied for was for two greenhouses according to a condition on the permit. A small (500 sf) greenhouse was developed but the CFE reported that it appeared that no commercial activity was conducted at the facility. Based on the CFE’s report, commercial use has been removed from the water right.

The CFE recommended a total diversion of 0.24 cfs, with 0.15 cfs diversion rate for aesthetic use, 0.09 cfs for heating.

The recommended heating diversion rate was based on subtracting the aesthetic flow rate from the total diversion flow rate (0.24 cfs total diversion – 0.15 cfs aesthetic diversion = 0.09 cfs). However, The CFE included heating calculations utilizing IDWR’s heating and cooling spreadsheet that calculated a total volume based on heating days, square footage of buildings heated, hours of operation and design heat load which requires calculating a flow rate that also calculated a total flow rate of 0.05 cfs for all

heated buildings. So, I'm recommending a flow rate of 0.05 cfs for heating based on the spreadsheet calculations provided with the field exam.

The evidence provided for ponds developed for aesthetic use is limited, but the provided schematic indicates that all the water passed through either a pool (concrete, steel or earthen) or a pond before flowing out to Magic Reservoir. It appears that at least five pools were developed. Since all of the water passed through either a pool or a pond, I'm adding recreation as a beneficial use (low temperature geothermal pools are for soaking and swimming, not so much aesthetic) and since ponds may have been developed for aesthetic use, I'm recommending licensing 0.24 cfs for both recreation and aesthetic use based on the provided schematic of the system.

Volume

The CFE recommended a total diversion volume 173.8 af based on the flow rate of 0.24 cfs continually flowing from the well. This is reasonable as this is a flowing artesian well.

An aesthetic volume of 108.6 af was recommended based on continuous flow of 0.15 cfs. In his narrative, the CFE indicated this flow rate was needed to maintain a 30' x 30" fish pond. However, since all of the water passed through a pond or pool before flowing out to the reservoir, I'm recommending 173.8 af for both recreation and aesthetic use.

A heating volume of 65.2 af was recommended based on 0.09 cfs flowing through the cabins continuously. However, as previously mentioned, the CFE included heating calculations utilizing IDWR's heating and cooling spreadsheet that indicated a total of 20.4 af was needed for heating use based on a total flow rate of 0.05 cfs. Therefore, I'm recommending a volume of 20.4 af based on the included spreadsheet calculations.

Conditions

Since this was permitted in 1993, conditions required updating to current standards. There is a condition that indicates if there is any attempt to modify, enlarge or reconstruct the well, the permit holder has to obtain a drilling permit from IDWR. This condition was retained and updated from permit holder to right holder. Condition 01C, requiring installation of a flow measurement port was updated to R43, which requires installation of a

measuring device and lockable works, as this water right is in Water District 37 and needs to meet current water district requirements before it can be utilized.

It should be noted that this permit was originally owned and developed by Norman E. Fuller. In 2004, the property was purchased by South Cove Ventures LLC and the permit was assigned to the new owners.

Conclusion

Based on the information provided in the Beneficial Field Exam Report and attachments I'm recommending licensing Water Right 37-8365 as Follows:

POU: NWNE of Sec. 23, Twp 01S, Rge 17E

POD: NENWNE of Sec. 23, Twp 01S, Rge 17E

Heating: 1/01to 12/31; 0.05 cfs and 20.4 af

Recreation:1/01 – 12/31; 0.24 cfs and 173.8 af

Aesthetic: 1/01 -12/31; 0.24 cfs and 173.8 af

Total Diversion: 0.24 cfs and 173.8 af