

**State of Indiana
Department of Natural Resources
Division of Water**

Department Memorandum

Date: March 25, 2015

To: Natural Resources Commission

From: Natural Resource Advisory Council

Subject: Summary of Public Meetings held for contract application BL 15-01 between Brook Hill Golf Club and the State of Indiana for withdrawal of water from Brookville Lake for the purpose of golf course irrigation.

The State of Indiana is authorized under Indiana Code 14-25-2 to sell water on a unit pricing basis for water supply purposes or low-flow augmentation from the water supply storage in reservoir impoundments, or portions of the impoundments that are financed by the State. The Department of Natural Resources, Division of Water, acts as administrator for these contracts. The provisions of IC14-25-2 and Rule 312 IAC 6.3 require that a written application for contract request be submitted to the Division, and that public meetings be held to gather testimony on the request. The Division director shall appoint a Department employee to serve as hearing officer for the meetings. No longer than thirty (30) days after a public meeting is held, the Advisory Council shall submit to the Commission a report summarizing the public meeting.

Contract Request Summary

This contract request is pursuant to an existing water supply contract BL-04-1, which expired on January 7, 2015 between the State of Indiana and Brook Hill Golf Club. Brook Hill Golf Club wishes to enter into a new water supply contract agreement with the State of Indiana for the seasonal purchase of raw water from Brookville Lake to irrigate a golf course. Brook Hill Golf Club is requesting an annual limit of 25 Million Gallons (MG), a volume that would equal an average daily withdrawal of approximately .139 Million Gallons per Day (MGD) based on a 180 day irrigation season pumping at a rate to equal the annual limit. Brook Hill Golf Club is requesting the contract for a (10) year term.

The recently expired 10 year contract with Brook Hill Golf Club has generated an average of \$350 per year in revenue for the last ten seasons, and would provide at most \$825 in revenue if the maximum annual withdrawal was met. The purchase amount is \$33.00 per million gallons, a price that is legislatively set.

In accordance with Rule 312 IAC 6.3-3-1, a written request is to be submitted to the Division of Water, and must include the following information:

- 1) **Contract Applicant:** Brook Hill Golf Club, Inc. 11175 Fairway Lane, Brookville, IN 47012
- 2) **Proposed Use:** Golf Course Irrigation
- 3) **Location of Withdrawal:** Brookville Lake is in Union and Franklin Counties; the golf course is in Union County, Harmony Township, Whitewater Basin, at the southern end of the reservoir on the west side.
(Township 9N Range 2W Section 9) See Map provided.
- 4) **Proposed Term:** Ten (10) years
- 5) **Requested Withdrawal:** 25 Million Gallons (MG) per Year; Average Daily Limit of 0.139 Million Gallons per Day (MGD), based on 180 day irrigation season.
- 6) **Measurement:** Flow Meter (existing)
- 7) **Summary of Alternatives and Justification:** Limited Groundwater Capacity, Existing infrastructure for lake withdrawal.
- 8) **Contingency Plan:** No plan required, as a golf course is sixth priority regardless of contingency planning.
- 9) **Conservation Plan:** To curtail watering except for key areas in drought conditions that allow continued withdrawal of lake water, or to go without withdrawn water if a drought condition is determined that does not allow for continued withdrawal from the lake as defined in Indiana's Water Shortage Plan.

Brookville Lake Available Water Supply Storage:

Total water supply storage in Brookville Lake is between elevations 713 and 740 feet, National Geodetic Vertical Datum, 1929 adjustment, measured at the dam. The State of Indiana has the right to 100% of this water supply storage, an amount estimated to be 89,300 acre feet, for the purposes of water supply and low-flow regulation (provided the designated space is physically available). Firm yield from this volume of water supply storage is estimated to be 82 million gallons per day (MGD). The sum of annual limits of all current water supply contracts (Of which there are two—both golf courses.) for withdrawal from

Brookville Lake is currently 60 million gallons (MG) which is less than 1% of the estimated available water supply volume.

Public Meetings Summary and Public Comment

Public meetings were conducted by Division of Water personnel Monique Riggs, to gather testimony on the application for Contract Number **BL 15-001** between Brookville Enhancement Partners and the State of Indiana. The meetings took place in the following two (2) counties, as required by IC 14-25-2-2.5 (h) and 312 IAC 6.3-3-3:

- March 19, 2015 – Union County, Liberty, IN; and
- March 19, 2015 – Franklin County, Brookville, IN.

A brief presentation was presented outlining the provisions of IC 14-25-2 and Rule 312 IAC 6.3 which govern the Department's authority to enter into water supply contracts. (See attached.) Available water supply data was provided for Brookville Lake as well as established water supply priorities, the nature of the pending request and the application specifics, factors the Natural Resources Commission may consider during review and acting upon a request, and the process by which the Commission makes a determination to deny, condition, or approve a contract.

One member of the press/public attended the Union County meeting; no public comment or testimony was received.

Three individuals attended the Franklin County Meeting; two from Brook Hill Golf Club that indicated 'Pro' on the sign in sheet, and one Brookville Lake USACE civilian park ranger from who indicated 'no opinion' but stated she was making herself available to answer any questions about the reservoir itself.

Conclusions and Recommendations:

The ten (10) year contract term and annual withdrawal limit of 25 MG will allow Brook Hill Golf Club to continue to irrigate current grounds. Division of Water staff believe that the volume of water available from Brookville Lake is adequate to satisfy the annual withdrawal limit of 25 MG for the ten (10) year term of the contract as this volume represents only a small fraction of the 82 MGD yield available in Brookville Lake. The total volume of water committed by contractual agreements would be less than 1% of the designed water supply capability of Brookville Lake. Potential impact to the recreational facilities of the reservoir is expected to be negligible. Therefore, the Advisory Council recommends that this contract request be approved.

October 25, 2014

Department of Natural Resources

Division of Water Attn. Ms. Monique Riggs

402 W Washington Street

Indianapolis, Indiana 46204

Dear Ms. Riggs,

Brook Hill Golf Club Inc. of Brookville, Indiana requests a new contract to continue its seasonal purchase of raw water from Brookville Lake to irrigate our 18-hole golf course. Brook Hill has been in contract with the DNR for the past 20 years and hopefully has handled and fulfilled its part of the agreement in the most professionally way. Our golf course 9-holes were originally built in 1976 and we added 9 more holes in 1993. Our contracts with the DNR have been in existence since 1994.

We would request the same maximum withdrawal as the previous contracts which are 25 million gallons per year. We also hope that the fee of \$33 per million gallons will remain the same. We would also request that the new contract be ten-years like the previous ones.

In compliance with Indiana 312 IAC 6.3-3-1

The person requesting this from Brook Hill Golf Club Inc. is

Steve A. Renaker 11175 Fairway Lane Brookville, Indiana 47012.

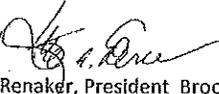
(614) 989-1256 cell phone (765) 647-4522 Brook Hill SRenaker@aol.com

Steve will also be the point of contact.

-The water has and would continue to be withdrawn from the lake with a skid pump through piping to the course.

- The Pump has a flow meter which registers usage per gallon. The water that we use from the lake has diminished in volume over the past few years due to the amount of rainfall we've received. The Brookville Lake water is pumped into our irrigation lake which is located on the 18th hole of our golf course. It is equipped with two pumps located in a (pump house) white building. In the event that the water from the lake would be restricted due to drought, we would limit our watering to only the greens. We would refrain from any watering of the tees or fairways.

Thank you for your consideration for this request and if I can be of further help or answer any questions, please let me know.

Sincerely 
Steve A. Renaker, President Brook Hill Golf Club Inc.

462042641
INDIANAPOLIS, INDIANA 46204
402 W. WASHINGTON ST. SUITE
ATTN: MONIQUE RIGGS
DIVISION OF WATER ROOM W 207
DNR
DEC 2 2014
RECEIVED
DIVISION OF WATER
INDIANAPOLIS, INDIANA 46204

Sale of Water from State-Owned Reservoirs



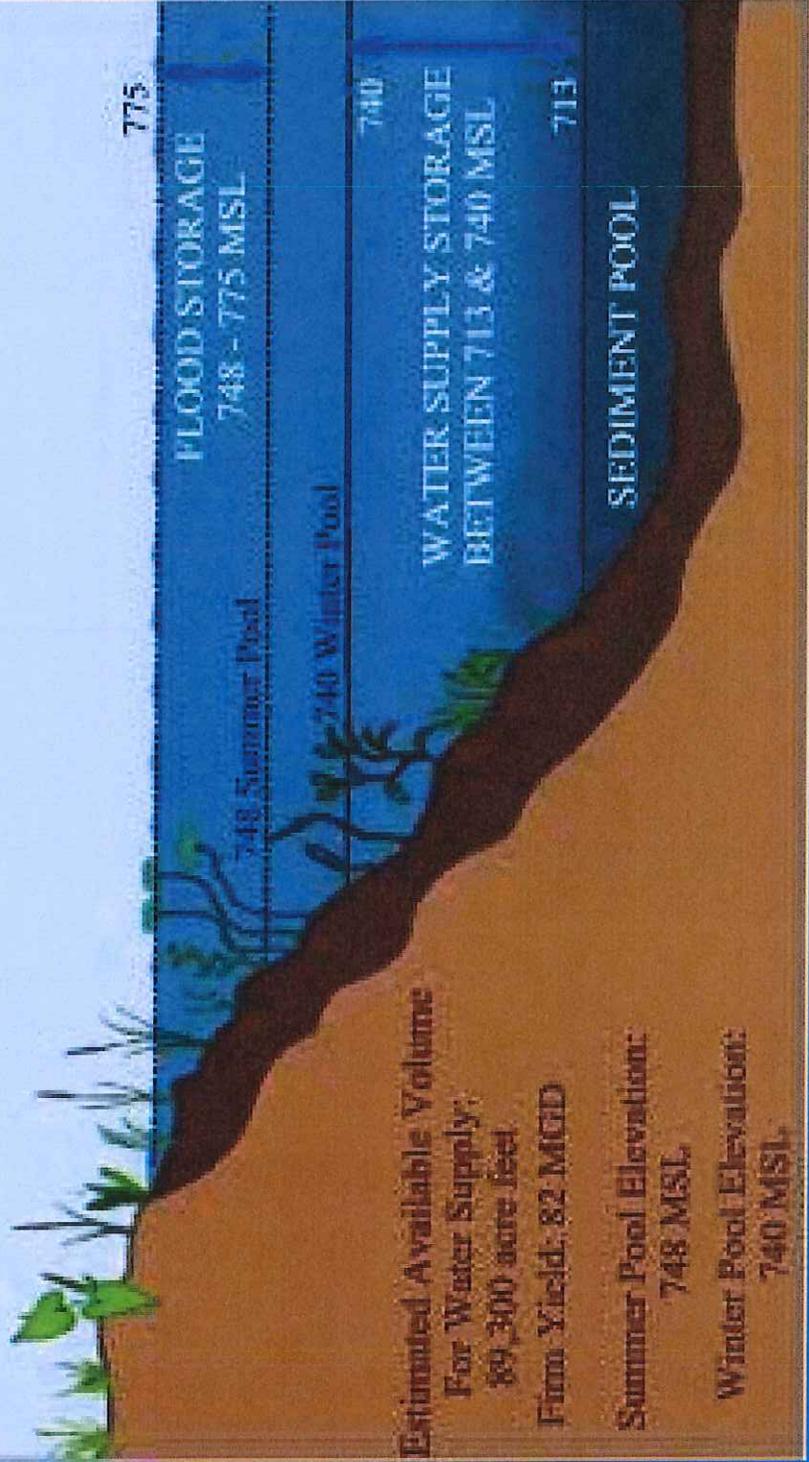
Water Supply Contracts

- The State of Indiana owns water supply storage capacity in reservoirs financed wholly or in part by the State.
- IC 14-25-2 allows the State to provide certain minimum quantities of stream flow or sell water on a unit-pricing basis for water supply purposes from this capacity at \$33/million gallons.
- The Division of Water currently administers such contracts on Brookville, Hardy, Monroe, and Patoka Lakes





Brookville Lake



The Written Request for Withdrawal

312 IAC 6.3-3-1

- Complete contact information for person entering the contract or for the person serving as point of contact
- Location of Withdrawal or Release
- Proposed Use or Uses
- Proposed Daily Limit for Withdrawal or Release
- Proposed Term in Years & Justification
- Proposed Method of Measurement
- Summary of alternative water supply sources that were considered
- Justification of why Reservoir is most economic or feasible supply source
- A Conservation Plan
- A Contingency Plan describing the alternatives the person will use if water from the reservoir is restricted due to drought alerts (described in 312 IAC 6.3-5-2)

The Natural Resources Commission will determine to approve, condition, or deny a request for a water withdrawal contract; subject to approval by the Attorney General, Governor, and the Applicant.

Deliberation shall include consideration of:

- The standards provided in IC 14-25-2 and 312 IAC 6.3
- The report of the Advisory Council submitted under section 4(e) of 312 IAC 6.3
- Statements and documents the Commission elects to receive before or during the meeting.

Factors the Natural Resources Commission may consider in reviewing a request:

- Terms, conditions, and purposes of authorizing legislation
- The likelihood of adverse effects to public safety, the environment, navigation, or recreation.
- Availability of another source of water to the person making the request.
- Proximity of the reservoir to any person that would receive water from the person making the request.
- Water allocation priorities for the use of the water.

Water Allocation Priorities

- First Priority: Domestic Purposes described in IC 14-25-1-3
- Second Priority: Health & Safety
- Third Priority: Power Production that meets contingency planning requirements
- Fourth Priority: Industry & Agriculture
- Fifth Priority: Purpose for Third or Fourth priority that does not meet contingency planning requirements
- Sixth Priority: Any Other purpose

Brook Hill Golf Club

Contract Request

- Proposed Use:
- Withdrawal for use as irrigation water for golf course
- Proposed Limits:
- Annual Withdrawal Limit of 25 Million Gallons
- Proposed Term:
- 10 Years
- Conservation Plan In Place
- Contingency Plan not necessary as sixth priority use

Division of Water--Water Supply Contract Process: IC14-25-2 & 312 IAC 6.3

December 5, 2008

