

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WITHDRAWAL OF PROTEST

Application for ☐ Transfer ☒ Permit ☐ Amendment of Permit No. 75-14993

In the Name of MARIE T + NORMAN A. ANDO
Applicant

Name of Protestant: GARY LEUZINGER, ARROWHEAD WATER DIST.

Represented by: _____

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.


☐ My withdrawal is not conditional.

Or

☒ My withdrawal is conditioned on the following:

Removal of #12 in Application " Arrowhead is
presently not delivering to these lots as
they are not a part of Arrowhead's
service area "

#7 on protest " valid source of water
is ditch on property coming out of
culvert "


Signature of Protestant or Representative

Chairman AWD 2/10/20
Title Date

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested 75-14993 in name of Norman A and Marie T Ando
2. Name of protestant Gary Leuzinger , Arrowhead Water District _____
3. Protestant's Representative for service (If different than protestant) _____
4. Service mailing address 23 Oliver Dr. _____
5. Service telephone no. 208 993 0491 _____ Email Address: gbgv16a@yahoo.com _____
6. Basis of protest (including statement of facts and law upon which the protest is based)

Comment "Arrowhead is presently not delivering to those lots as they are not a part of Arrowhead's service area." This statement is not correct. Ando's land lies w/i Stormrider estates and Arrowhead delivers water to approximately 1/3 of the lots w/i the subdivision. This water right appears to be an enlargement to the Ando's existing rights appurtenant to their land. Arrowhead Bylaws defines a process to deliver water to these lots.

- (additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? MA BA Oliver Ando Road ditch through property Remove subject sentence and identify a valid source of water that would not require intentional wasting of water by an Arrowhead Member and which would violate Arrowhead's Bylaws. _____

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 15 day of September, 2020.


Protestant

Protestant's Representative



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

RECEIVED
OCT 02 2020
Department of Water Resources
Eastern Region

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 16, 2020

Arrowhead Water District
Attn: Gary Leuzinger, Chairman
23 Oliver Drive
Salmon, ID 83467

COPY

RE: Arrowhead Reservoir (Chippis Creek Dam)
Inspection and Storage Authorization

IDWR File: 75-14465
NATDAM: ID00718

Dear Mr. Leuzinger:

Thank you Gary for accompanying Brian Normandeau during the safety inspection of the referenced earthen dam on 8/21/2020. As you know, the Idaho Department of Water Resources (IDWR) Dam Safety program is mandated by statute to perform periodic inspections to help protect downstream life and property against flooding caused by a sudden dam failure. Based on the inspection results we offer recommendations for proper maintenance, repair and operation of the dam that, if implemented, will help reduce the likelihood of a sudden failure. Regardless these recommendations, please be advised that the dam owner is responsible at all times for the safe operation of their dam.

Enclosed is a copy of the inspection report for your review and files. The recent site inspection determined that the dam and reservoir exist generally in fair condition for the continued impoundment of water; conditional to the removal of all sight obscuring brush and woody-type vegetation growing at the base of the downstream slope. Most earthen dams seep, and being able to see these areas to note any changes in the amount or clarity of seep water is important to correctly assess its safety.

The attached *Certificate of Approval* authorizes reservoir storage until December 31, 2024. Prior to expiration of the Certificate, IDWR Dam Safety personnel will schedule a return inspection with you to determine whether the structure is still suitable for continued impoundment of water. Please be advised that future storage authorization may be jeopardized if we determine the dam is not being properly maintained and operated for benefit of public safety.

Thank you for your cooperation, and if you have any questions or concerns please do not hesitate to call me @ (208) 287-4927; or you may contact Brian Normandeau in Idaho Falls at (208) 525-7161.

Sincerely,

John Falk, P.E.

Dam Safety Program Manager

Cc: James Cefalo – IDWR Eastern Region Office Manager
Enc: 2020 Inspection Report
Certificate of Approval

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

RECEIVED
OCT 05 2020
Department of Water Resources
Eastern Region

1. Name of applicant(s) NORMAN A ANDO, MARIE T ANDO Phone 208.940.0264
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 30 STORMRIDER RD City SALMON
 State ID ZIP 83467 Email mando@custertel.net
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply waste water, ground water which is a tributary of Salmon River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
21N	21E	1			SE	SW	LEMHI	WASTE WATER	

5. Water will be used for the following purposes:
- Amount 0.03 cfs for irrigation purposes from 04/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.03 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. shallow sump collecting waste water from a draw that runs through our property, pump to sprinklers. sump may also fill with shallow ground water.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- 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? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Receipted by _____ Receipt No. _____ Date _____

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. _____
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - 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	
21N	21E	1									0.3			0.7					1.0

Total number of acres to be irrigated: 1.0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 75 74-14687, 14689, 14691, 14693 rights from Pollard and Chips Creeks which are not being delivered; unrecorded domestic well which serves home and lawn in a different area (not overlapping this application)
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. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Pollard and Chips Ck rights may only be delivered through Arrowhead water district system. Arrowhead is presently not delivering to these lots as they are not a part of Arrowhead's service area.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

MARIE T. ANDO

Print Name (and title, if applicable)

Signature of Applicant

NORMAN A. ANDO

Print Name (and title, if applicable)