

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 29-14116

Priority: June 23, 2014

Maximum Diversion Rate: 0.14 CFS
Maximum Diversion Volume: 26.4 AF

It is hereby certified that:

MOOSE MOUNTAIN SUBDIVISION PROPERTY OWNERS ASSOC. INC
PO BOX 576
INKOM, ID 83245

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated **6/23/2014**, and has submitted Proof of Beneficial Use on August 26, 2019. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use

DOMESTIC

Period of Use

01/01 to 12/31

Rate of Diversion

0.14 CFS

Annual Volume

26.4 AF

Location of Point(s) of Diversion

GROUND WATER NE¼ NE¼, Sec. 23, Twp 07S, Rge 36E, B.M. BANNOCK County
GROUND WATER NE¼ NE¼, Sec. 23, Twp 07S, Rge 36E, B.M. BANNOCK County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
07S	36E	23	X	X						X								

Conditions of Approval

1. Points of diversion are located within Lot 8 and Lot 14, Blk. 1, Moose Mountain Subdivision.
2. The domestic use described under rights 29-13350, 29-13712 and 29-14116 when combined is limited to 22 homes and 26.4 acre feet.
3. The domestic uses described under rights 29-13350, 29-13712 and 29-14116 shall not exceed 13,000 gallons per day per home.
4. The irrigation occurring under the domestic uses described under rights 29-13350, 29-13712 and 29-14116 when combined shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. These rights do not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right does not grant any right-of-way or easement across the land of another.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 29-14116

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 18th day of November, 2019.



JAMES CEFALO
Eastern Regional Manager





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 18, 2019

MOOSE MOUNTAIN SUBDIVISION
PROPERTY OWNERS ASSOC. INC
PO BOX 576
INKOM ID 83245

RE: License No. 29-14116

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

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. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

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, request 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 Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 service date 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.

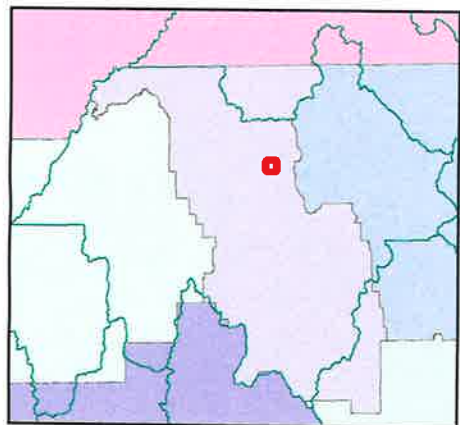
The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



Idaho Department of Water Resources

Water Right
29-14116
(DOMESTIC)

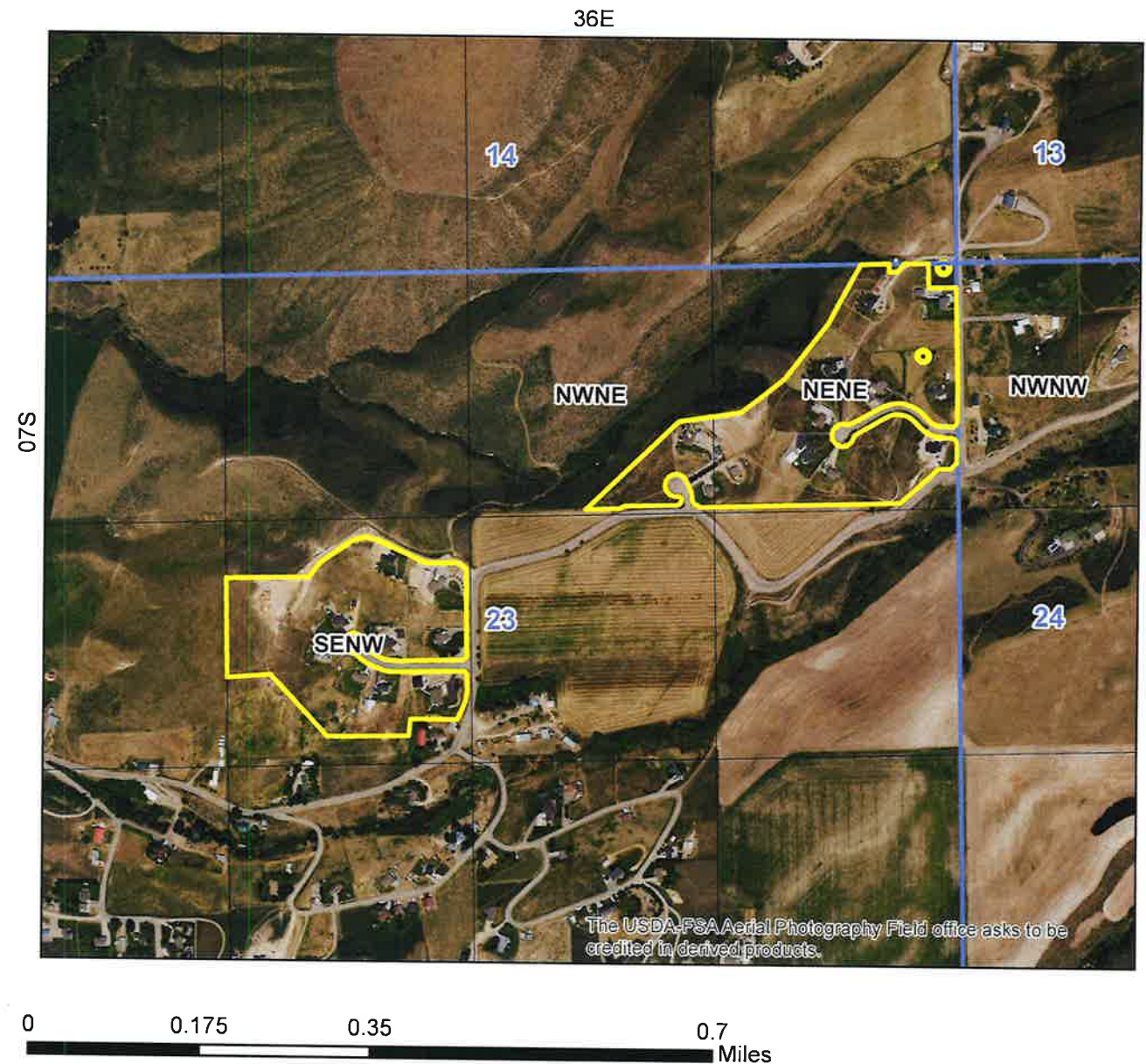
-  Place of Use
-  Point of Diversion
-  Townships
-  PLS Sections
-  Quarter Quarters



Bannock County
IDWR Basin 29

Prepared by Adamson, Jared

Background: 2017 Aerial Photography



CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2019, I served a true and correct copy of Water Right License No. 29-14116 by U.S. Mail, postage prepaid, to the following:

MOOSE MOUNTAIN SUBDIVISION
PROPERTY OWNERS ASSOC. INC
PO BOX 576
INKOM ID 83245

A handwritten signature in black ink, appearing to read 'CH' followed by a stylized flourish, positioned above a horizontal line.

Christina Henman
Administrative Asst. I

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 29-14116
Exam Date: 09/17/2019

1. Current Owner:
MOOSE MOUNTAIN SUBDIVISION PROPERTY OWNERS ASSOC. INC PO BOX 576 INKOM ID 83245
2. Accompanied by: Jerrilee Brower
Phone No: (208) 569-3422
Address: PO BOX 576 INKOM ID, 83245
Relationship to permit Holder: Treasurer

3. **SOURCE:**
GROUND WATER

Method of Determination: Site Visit

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Yes Overlap

Water Right No.	Source	Purpose of Use	Basis
29-13350	Ground Water	Domestic	License
29-13712	Ground Water	Domestic	License

Comments: _____

2. Other water rights with the same point-of-diversion: Yes Overlap

Water Right No.	Source	Purpose of Use	Basis
29-13350	Ground Water	Domestic	License
29-13712	Ground Water	Domestic	License

Comments: _____

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NE¼ NE¼, Sec. 23, Twp 07S, Rge 36E, B.M. BANNOCK County
GROUND WATER NE¼ NE¼, Sec. 23, Twp 07S, Rge 36E, B.M. BANNOCK County

Method of Determination: Site visit and GPS

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	23	X	X						X									

Method of Determination: Site visit and GPS

3.

- ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well 1		3.0			
Well 2		5.0			

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Installed Flow Meter	Mag-Meter	Rosemount	8750 WA	0049153	4.0 inch	
Installed Flow Meter	Propeller	Badger	T-1000	1514B1A	6.0 inch	

2. Measurements:

E. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: Installed Flow meter Avg. GPM

Pump 1 FM = 40 GPM - 2014 field exam measurement

Pump 2 FM = 61 GPM

Total GPM = 101 GPM

101 GPM = 0.23 CFS

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

 $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$

2. Volume Calculations for Other Uses:

This Permit is for additional rate only, to be combined with Water Right numbers 29-13350 and 29-13712. Rights 29-13350, 29-13712 and 29-14116 will be limited to 26.4 AF (22 home x 1.2 AF).

G. NARRATIVE/REMARKS/COMMENTS

Met with Mr. and Mrs. Brower to assess flow rates from the two wells used for the subdivision. Moose Mountain Subdivision utilizes two wells and a storage tank to supply 22 domestic residences. Pump one was pumping 39.0 GPM and pump two was pumping 61.0 GPM during the field visit. 2014 field exam measurement observed pump 1 pumping 40 GPM.

Pump 1 has an in-line Rosemount magnetic flow meter installed. Whereas pump 2 has a mechanical Badger meter installed. The mechanical meter looked to be in good working condition. Flow rates were calculated using the installed flow meters for pump 2 and the measurement observed during the 2014 field exam. This Permit is for additional rate only. Rights 29-1350, 29-13712, and 29-14116 when combined will not exceed 26.4 AF and 22 homes with 0.5 acres of irrigation for each home.

Water right 29-13350 provides 0.09 CFS and 2.4 AF for 20 homes and 0.5 acres of irrigation for each of the 20 homes. Water right 29-13712 only provides 0.04 CFS and 2.4 AF for 2 homes and 0.5 acres of irrigation for each of the 2 homes. Water right 29-14116 only provides an increase in diversion rate. The combined use limit for water rights 29-13350 and 29-13712 is 0.09 CFS and 26.4 AF. Water rights do not provide irrigation for any common areas.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Volume</u>
DOMESTIC	01/01 to 12/31	0.14 CFS	26.4 AF

Totals: 0.14 CFS 26.4 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

I. AUTHENTICATION

Jared Adamson - Water Resource Agent

Field Examiner's Name

Jared Adamson

Date

10/31/2019

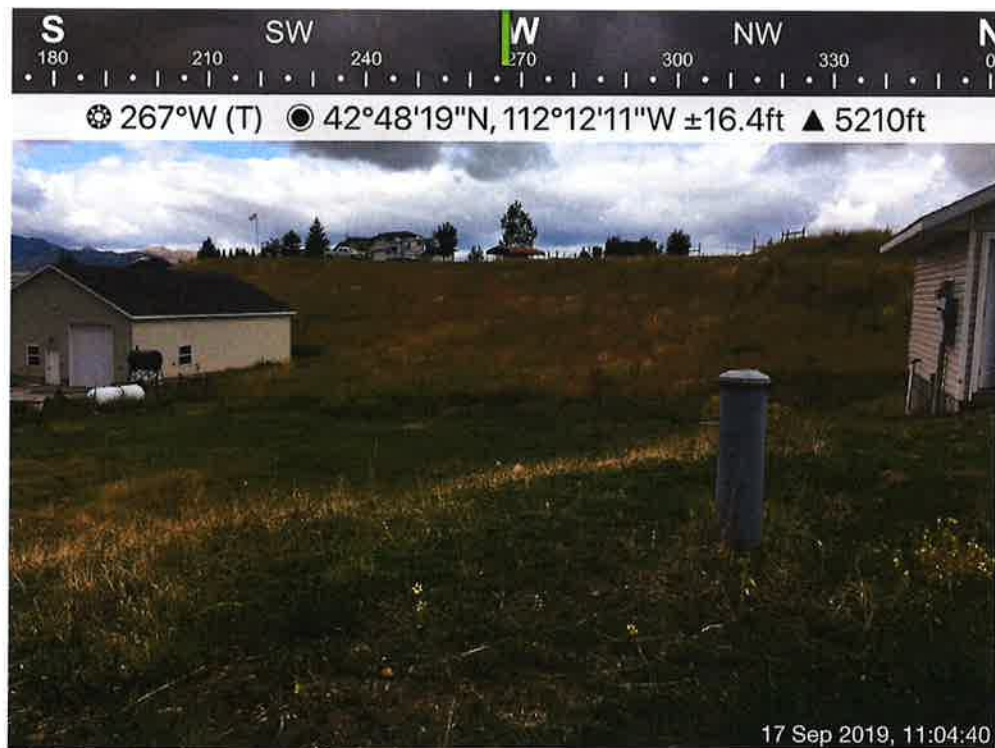
Reviewer

[Signature]

Date

10/31/2019

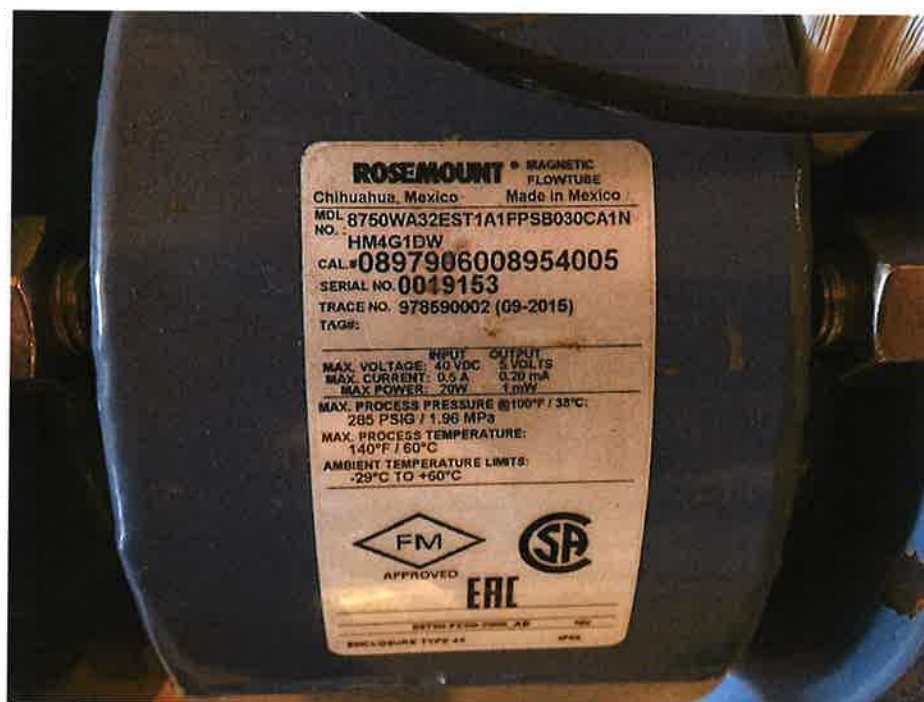
Well No. 1



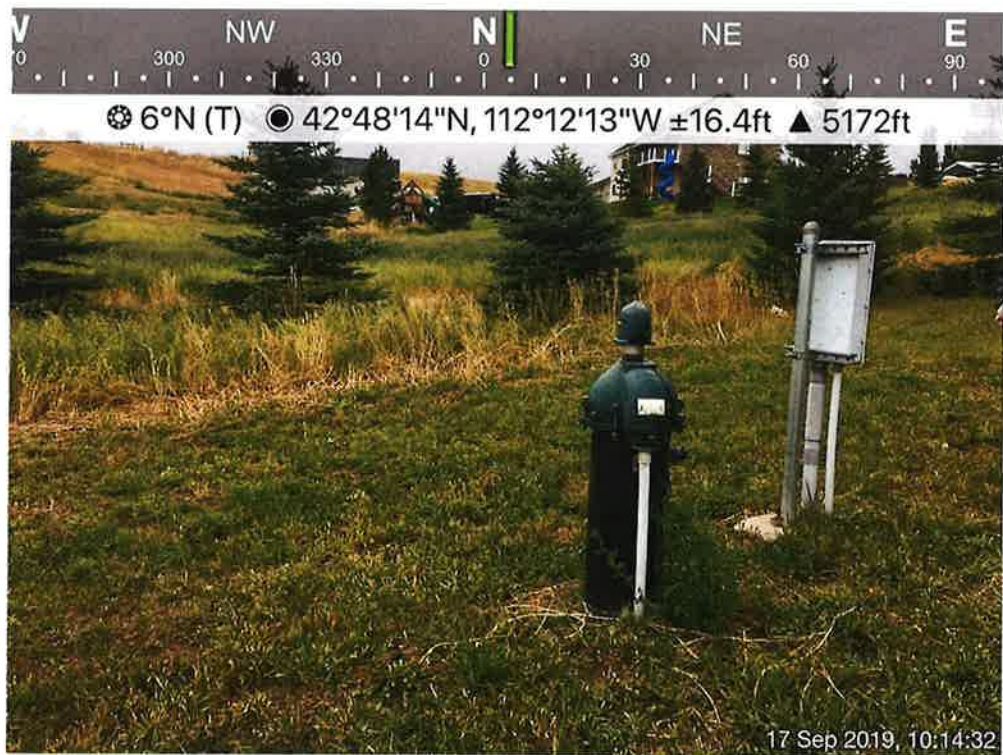
Well No. 1



Well No. 1



Well No. 2



Well No. 2



Well No. 2





The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

0 450 900 1,800 Feet

- Point of Diversion
- MooseMountain POU
- Township/Range
- Sections
- QQ

