

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONPermit No: 96-9503

Exam Date: 1/20/17

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y ___ N
- Irrigation of 5 acres or less
 - Storage of up to 14.6 AF for stockwater purposes only
 - Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - Other < >

2. Current Owner: Name: Janus Dmowski
Owner of Record Correct? X Y ___ N
Address of Record Correct? Y ___ N
If No: Address

Tax lot data shows Janus Dmowski as the owners of the property. Please note, the permit had the place of use one lot south, instead of the lot owned by Mr. Dmowski. It appears as though the tax lot data has been rectified since the permit was issued.

3. Beneficial Use Fees have been paid: X Y ___ N Receipt No: C0

4. **SOURCE** **TRIBUTARY**
Lake Pend Oreille Pend Oreille River
Method of Determination: GIS, and Tax Parcel Data
Change in Source: Y X N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
96-7316	Ground Water	Domestic	License

Comments: Water right 96-2286 was licensed on April 2, 1974, from an unnamed spring for domestic purposes. The field examination states that there are 2 systems tied together to supply 10 houses. The houses are located in the East ½ of the section 21. A 1966 proof of beneficial use states that the water is used for the domestic use deeds developed on Cramer Home Sites and possible neighboring properties. Cramer Home Sites Subdivision is north of this property. The spring for this property is considerably north of the permit's place of use, so I do not believe this property was ever connected to the spring. The property associate with this permit is in the Cramer View Sites Subdivision is approximately ¼ mile south of the Cramer Home Site Subdivision. Only 3 of the homes built in the Cramer View Sites Subdivision were built between 1976 and 1979. The remainder of the homes in the Cramer View Sites Subdivision were built after the 1980's with the majority of the homes being built in the 2000's.

Water right 96-7316 is a domestic right for 4 families from ground water. The information in the file makes it impossible to determine if this right is an actual overlapping water right.

2. Other water rights with the same point of diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: Water right 96-7316 has a point of diversion in this 40 acre tract, but it is from a well and the field exam states that the well is located west or uphill of the county road. This permit is from the lake, so I don't see any issue with the overlap of the point of diversion. There are no other known overlapping points of diversion from the lake in this 40 acre tract.

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Lake Diversion	3		SE	SE	21	56N	1W	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcels data. The point of diversion shape file used in the permit was incorrect. However, it appears as though the tax parcels have shifted somewhat, since the permit was issued. The point of diversion is now correct.

Change in POD? X N Amendment Required? X N

2. PLACE OF USE: Use: Irrigation

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	1W	21																D	
		Lot #																	
Total Acres =																			

Method of Determination: GIS and Tax Parcels. The place of use shape file used in the permit was incorrect. However, it appears as though the tax parcels have shifted somewhat, since the permit was issued. The place of use is now correct.

Change in POU? X N Amendment Required? X N

 Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

 X Aerial Photo Attached (required for irrigation of 10+ acres).

 Photo of Diversion and System Attached

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Lake Pump	Unknown	1.5			1 ¼ inch pipeline

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: No measurement is required for an in-house exam. But a theoretical analysis was completed.

E. FLOW CALCULATIONS

Attached

 X Additional Computation Sheets

Measured Method:

The application for permit stated that a 1.5 Hp pump with a 1 ¼ inch pipeline would be used for this system. I performed a theoretical calculation using the information supplied in the permit application.

Theoretical Calculation Limits = 0.06 average cfs**Processing Administrative Memorandum # 22 Stockwater = 0.04 cfs****Permit allowed = 0.04 cfs**

I am recommending a diversion rate of 0.04 cfs, since that is the limit established by the permit and Processing Administrative Memorandum #22.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Administrative Memorandum #22 allows up to 1.2 af for in-house use and ½ acre of irrigation. The system can more than supply that amount of water, so my recommendation is for 1.2 af.

G. PURPOSE OF USEIrrigation X Y N # Stock Domestic # of Homes 1

Other: < >

Change in Purpose of Use? Y N Method of Determination: Tax parcel data and conversations with owner.If Yes: From Use To Use Amount CFS AFA **H. NARRATIVE/REMARKS/COMMENTS**

This permit is qualified for an in-house exam. The biggest issue on this permit is the overlapping water rights and whether or not the place of use for this permit is included within the existing permits. This home wasn't built until 1994, so it doesn't really appear as though it was part of either license. Water right 96-2286 was from a spring for Cramer Home Sites Subdivision, which are both a ¼ mile north of the permit holder's parcel in Cramer View Home Sites Subdivision. Water right 96-2283 was filed for in 1971 and licensed in 1974, so it is unlikely that this permit was part of the 10 homes described in the permit. Water right 96-7316 appears to have been a ground water right for a group of 4 family homes. Unfortunately, the file doesn't provide any information as to exactly which homes or tax parcels are involved in the water right. Once again, the water right was filed for in 1974 and the license was issued in 1975, so it is unlikely that this water right is associated with the permit since the home was built in 1994. I checked the tax parcels and warranty deed information supplied by the county, and was unable to find anything that would suggest the existing two water rights are tied to the place of use described in this permit. I contacted the permit holder by letter and email. The permit holder was out of the country, but did confirm that that his only water source is the water diverted under this permit.

The shape file created for this permit by Department Staff shows the place of use and point of diversion on a different tax parcel. I application for permit has a map that shows the correct tax parcel. The correct tax parcel is Lot 6 of Cramer View Sites Subdivision.

The conditions of the permit required the permit holder to install a fish screen on the system. The proof of beneficial use form did not confirm that a fish screen had been installed. I contacted the permit holder by letter and email. The permit holder was out of the country, so he contacted by telephone. He informed me that he recently purchased the home, and was told that the pump was installed by a licensed professional who installed the pump to all the specifications and requirements. Any pump in any surface water environment would need a reasonable screen to prevent debris from damaging the pump, and this system has been in place since at least 1994. I am confident from the information he supplied that a proper fish screen has been installed.

All of the conditions on the permit will be carried forward to licensing. Condition 1 (X15) will be modified to state that the fish screen shall be maintained. Conditions X59 and X60 should be added to better describe the place of use.

Have conditions of permit approval been met? ____ Yes X No

I. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01 to 12/31	0.04 CFS	1.2 AF
<u>Totals:</u>		0.04 CFS	1.2 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

Other: < >

J. AUTHENTICATION – DANIEL A. NELSON – Water Right Analyst 3

Field Examiner's Name  Date 1-20-17

Reviewer _____ Date _____

Permit 96-9503 -- Field Exam Map

The yellow border shows the place of use and the yellow dot shows the point of diversion. The green borders show the tax parcels that match the map in the Application for permit.

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 96-9503
 Reviewer: Dan Nelson
 Date of Review: 1/17/2017

P/D No.:

PUMP HORSEPOWER
 BOOSTER HORSEPOWER

PUMPING LEVEL

DISCHARGE PRESSURE

RATE OF FLOW (cfs)

Scenario 1
1.5
0
50
40
0.06
29

Scenario 2
1.5
0
50
50
0.06
25

Scenario 2
1.5
0
50
60
0.05
22

Average
 0.06
 27.09

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes:

The application for permit stated that a 1.5 Hp pump would be used for this system. The GIS contour lines show approximately 40 feet of elevation difference from the home to the lake. I added an additional 10 feet to cover the lift from the water level to the lake shore. I used the standard pressure set up for a pressure tank of 40 to 60 psi. This calculation shows that the pumping system can provide more than enough water to cover the permit limitations.

MEMORANDUM

TO: File 96-9503

FROM: Daniel A. Nelson, Water Right Analyst 3

DATE: January 20, 2017

SUBJECT: Telephone Conversation with Permit Holder

The permit holder contacted me telephone today to supply the additional information requested in my letter and email. The permit holder is currently in Saudia Arabi, and was having problems providing the needed information to me by email or mail by the required dates. Therefore, he confirmed the following information that was requested in my letter dated January 18, 2017.

The permit holder stated he recently purchased the property, so he has never had the pump pulled out of the lake for inspection. However, he was told at the time the property was purchased that the pump was professionally installed to all the specifications and requirements required. Any pump in any surface water environment would need a reasonable screen to prevent debris from damaging the pump, and this system has been in place since at least 1994. I am confident from the information he supplied that a proper fish screen has been installed.

I also asked if there was any other water source that supplied the property. The permit holder informed me that the only source of water available to the property was the lake water.

Due to the permit holder being out of the country and having trouble responding by email. I feel this telephone conversation should be adequate to move forward with the licensing of this permit.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 18, 2017

JANUSZ DMOWSKI
250 CHAPARRAL PLACE S E
CALGARY ALBERTA T2X3K5

RE: Water Appropriation Permit 95-9503

Request for Information

Dear Mr. Dmowski:

In 2012 the Idaho Department of Water Resources (Department) issued permit 95-9503 (permit) authorizing the development of a water right to divert 0.04 cfs of water for domestic purposes from Lake Pend Oreille in Government Lot 3 (SE1/4 SE1/4) of Section 21, Township 56 North, Range 1 West. You submitted a "Statement of Completion for Submitting Beneficial Use on January 9, 2017. The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, the Department recognizes that water has been put to beneficial use in accordance with the permit. For your convenience, I am enclosing a copy of permit listed above.

Due to the amount of water being diverted, this permit qualifies for what is known as in-house exam or desk top verification review instead of an in-field verification inspection of the property. A verification review is necessary to move this permit forward to a water right license. During my review of your file, I was able to verify all of the elements necessary to license your permit, except for two issues.

The first issue is to verify if you have any other water source providing water to your property for in-house use. There are two water rights that do suggest that you could be using a community well or spring for the in-house use for your property. I need to verify if you are using another water source for your property other than the lake water you applied for in this permit. I sent you an email requesting assistance from you to verify this issue, but I didn't receive a response from you. All I need is an email or written confirmation from you that you either have access to a community water system that is supplied by a well or spring or that you do not have access to a community water system and all of your water use comes from the pump in the lake.

The second issue is to verify if the proper fish screens were installed on the pump intake. The permit has the following conditions:

A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.

The above condition was placed on the permit to ensure you complied with fish screening requirements required on all streams and lakes regulated by Idaho Fish and Game. In the "Statement of Completion for Submitting Proof of Beneficial Use" form you submitted, you did confirm that you had complied with these conditions. **Please confirm that you have complied with the fish screen conditions on your permit.** All I need is an email or written confirmation that you have complied with the fish screen condition.

You can request that IDWR personnel go into the field to collect this information accompanied by yourself a representative of your choosing. For this to occur, please contact me within 30 days. If you would like your representative to be present, please have the name, telephone number, and email of your representative. Be aware that you and the representative must be available to be contacted for scheduling of the required visit.

Please provide the requested information February 21, 2017. If I do not receive the requested information or I have not been contacted by you by February 21, 2017, I will need to take action to void your permit under the provision of Section 42-219(8) of the Idaho Code.

If you have any questions, please contact me. Thank you for your attention to this matter.

Respectfully,



Daniel A. Nelson
Water Right Analyst 3
Telephone # (208) 287-4867
Fax (208) 287-6700 (attn: Dan Nelson)
Email dan.nelson@idwr.idaho.gov

Enclosure(s): Computer generated water right permit report

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, January 18, 2017 9:41 AM
To: 'Jan.Dmowski@telus.net'
Subject: RE: Permit 96-9503
Attachments: Additional Information Letter 96-9503.pdf

Dear Mr. Dmoswski;

I emailed you on January 17, 2017, concerning the possible use of a community water system on the property associated with your water right permit 96-9503 for your property on Lake Pend Oreille. Since that time, I also discovered that you did not confirm on your proof of beneficial use form you submitted for the permit that you have complied with the fish screen requirement on your permit. Without this information we cannot move forward with licensing this permit. I have attached a formal letter to this email that I mailed today that requests this information. Please note that you if do not supply this information by the deadline set in the letter of February 22, 2017, your permit could be voided.

You can email me or send a letter with your response to my request for additional information described in the attached letter. If you have any questions, please don't hesitate to contact me. I would be happy to work with you to supply the information.

Daniel Nelson
Water Right Analyst 3
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

Nelson, Dan

From: Nelson, Dan
Sent: Tuesday, January 17, 2017 7:37 AM
To: 'Jan.Dmowski@telus.net'
Subject: RE: Permit 96-9503

Dear Mr. Dmowski,

Our office has received the Proof of Beneficial Use statement you submitted on water right 96-9503. In order to license this permit, the water use filed for in a water right permit must be verified. Your water right permit is small enough, that I can perform a desk top review of the water system without setting up an appointment with you to visit the property. I have found an issue that needs to be addressed before we can move forward with licensing the water right permit.

The original application for permit did not state the water source used for in-house water needs for your home on Lake Pend Oreille. There are two water rights that could possibly be associated with your property. I need to know if you use your Lake Pend Oreille water system, a community system from a well, or a community system from a spring to supply the water for the in-house needs for your property on Lake Pend Oreille in Idaho.

I would appreciate it if you could send me your response within the next 14 days if possible.

Thank you for your time. If you have any questions, please don't hesitate to contact me.

Respectfully,

Daniel Nelson
Water Right Analyst 3
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)