

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 74-16012

Priority: February 20, 2014

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 1.6 AF

It is hereby certified that MARGARET GLODOWSKI
And/Or
MICHAEL J GLODOWSKI
430 CONFEDERATE DR
SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 14, 2014; and has submitted Proof of Beneficial Use on March 27, 2015. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	1.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4NW1/4 Sec. 5, Twp 21N, Rge 22E, B.M. LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
21N	22E	5								.4						.4			

Total Acres: 0.4

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
21N	22E	5							X										

CONDITIONS OF APPROVAL

1. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
2. Rights 74-601C and 74-601E have been abandoned to mitigate for the use of water under this right.
3. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 1.4 afa at the field headgate for irrigation of the place of use.

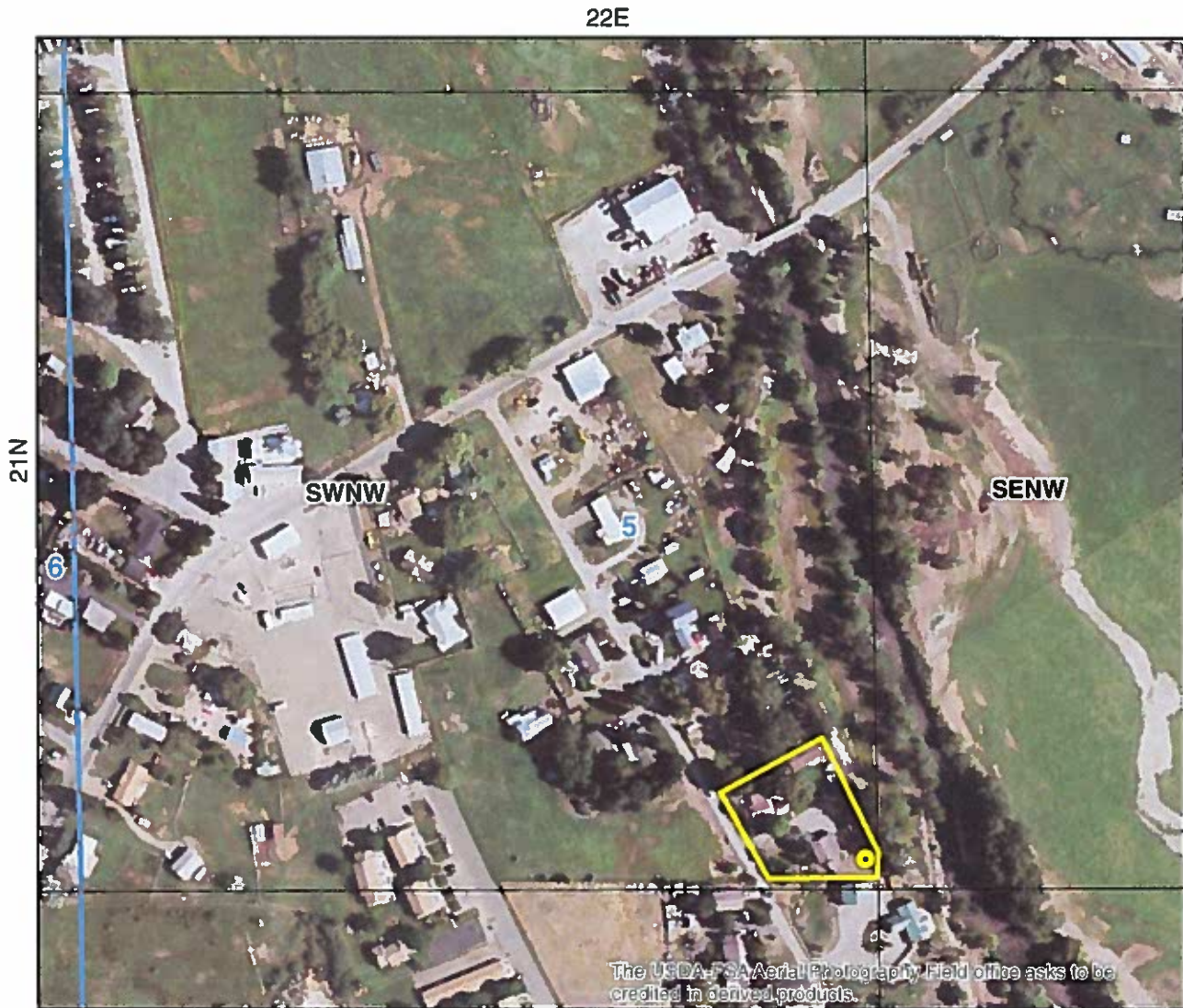
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 17th day of June, 2015.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
74-16012

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

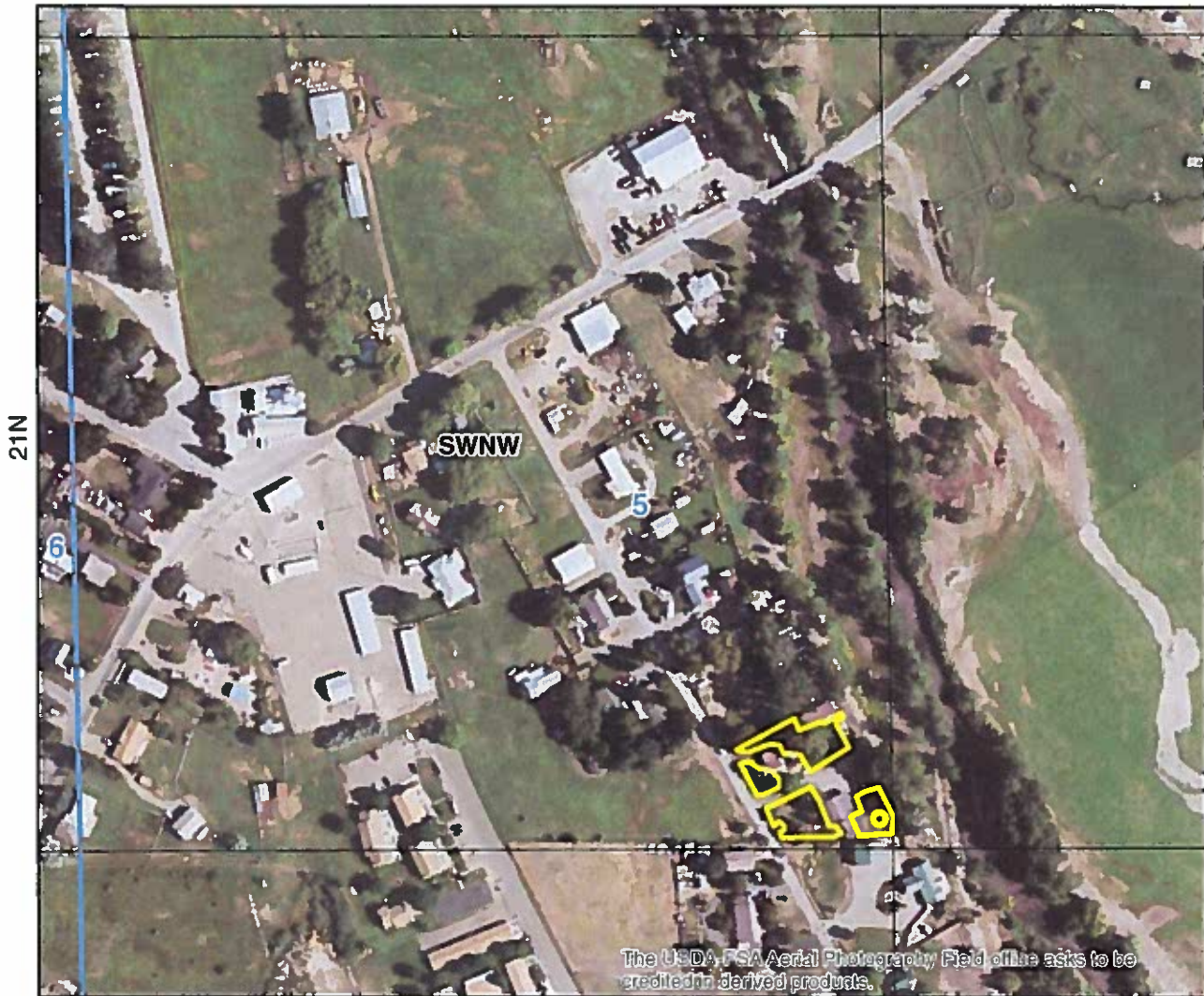
0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment To Water Right License
74-16012

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

22E



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

0 0.035 0.07 0.14 Miles





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

June 26, 2015

MARGARET GLODOWSKI
MICHAEL J GLODOWSKI
430 CONFEDERATE DR
SALMON ID 83467

RE: License No. 74-16012

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. The Department has received and processed your notice of abandonment of water rights 74-601C and 74-601E as noted in condition no. 2 of license 74-16012. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2015, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**Approved License**) to the person(s) listed below:

RE: WATER RIGHT NO.

74-16012

**MARGARET GLODOWSKI
430 CONFEDERATE DR
SALMON ID 83467**

**MICHAEL J GLODOWSKI
430 CONFEDERATE DR
SALMON ID 83467**



**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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, requests 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 IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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.

MEMORANDUM

TO: File 74-16012

FROM: Daniel Nelson – Staff Hydrologist

DATE: June 17, 2015

SUBJECT: Review of Diversion Rate

The field examiner did not include a theoretical sheet with this exam. I have included a theoretical calculation sheet for this water right that shows the system can probably divert 0.03 cfs. The field examiner also limited the irrigation use to 0.01 cfs or 4.5 gpm for the irrigation use following standard practices. This diversion rate may supply one sprinkler, and would not be an efficient way to irrigate the property. The permit allowed a diversion rate of 0.03 cfs for 1 acre of irrigation, and it appears as though the system was designed to use the 0.03 cfs rate. It is more reasonable to allow the full 0.03 cfs rate for this system due to the ability to properly irrigate the place of use. I have made the changes to the database.

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 74-16012
 Reviewer: Dan Nelson
 Date of Review: 6/17/2015

P/D No.:

PUMP HORSEPOWER
 BOOSTER HORSEPOWER

PUMPING LEVEL

DISCHARGE PRESSURE

RATE OF FLOW (cfs)

Well #1
0.25
0
4
50
0.01
6

Well #2
0.5
0
4
50
0.03
12

Well #3
1
0
4
20
0.12
55
0.16
72.42

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 states that the pump for this system is a 1/4 to 1/2 Hp pump. The well log shows a pumping water level of 4 feet. I assumed a standard pressure of 50 psi for a sprinkler system. A diversion rate of 0.03 cfs seems reasonable for 1/2 Hp pump.

MEMORANDUM

TO: Files 74-601C, 74-601E, and 74-16012

FROM: Daniel Nelson – Staff Hydrologist

DATE: June 12, 2015

SUBJECT: Review of Notice of Abandonment

Permit 74-16012 was approved with a condition that water rights 74-601C and 74-601E would be abandoned to mitigate the depletion of water resulting from the use of 74-16012. On June 8, 2015, the Department received a notarized abandonment form from the owner of water rights 74-601C and 74-601E abandoning these two water rights.

The database has been updated, a remark has been added confirming the abandonment and a draft license has been submitted for approval. The licensing document for permit 74-16012 was used as the order to abandon these two water rights.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 08 2015

DEPARTMENT OF
WATER RESOURCES

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): Margaret and Michael GlodowskiMailing Address: 430 Confederate DriveSalmon, IDPhone: (208) 756-2126

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of X all, or _____ part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 74-601C and E.

I hereby abandon X all, or _____ part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

Margaret Glodowski Margaret Glodowski

Signature of Water Right Owner(s) or Authorized Representative

6/15/15
Date

Brianne L. Bruno

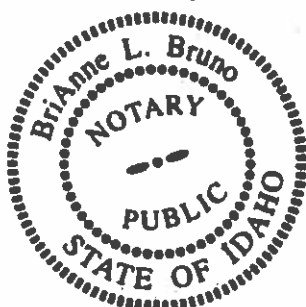
Print Name and Title of Authorized Representative

(Complete if applicable and include your authority to act on behalf of the water right owner)

State of IDAHO)
) ss
County of lemhi)

On this 5 day of June, 2015 the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

SEAL



Brianne L. Bruno
Notary Public

My commission expires: June 16, 2020



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

May 28, 2015

MARGARET AND MICHAEL J GLODOWSKI
430 CONFEDERATE DR
SALMON ID 83467

Notice of Intent to Void Permit

RE: Water Appropriation Permit No. 74-16012

Dear Mr. and Ms. Glodowski:

The Department of Water Resources (IDWR) is reviewing the above referenced permit, so we can issue a license for the uses developed. On May 18, 2014, this file was reviewed for licensing to verify the water use developed under permit 74-16012. During this review, we noticed that you have not submitted the proper documentation showing that you have complied with the following condition of approval of the permit:

To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as currently authorized by water right nos. 74-601C and 74-601E. Pursuant to the proposed mitigation plan water right nos. 74-601C and 74-601E will be formally abandoned. Notice of abandonment shall be filed prior to the submission of proof of beneficial use for this water right.

You must resolve this issue before a license can be issued. Pursuant to Idaho Code § 42-219(8), if the conditions of approval on a permit are not complied with, IDWR may issue an order voiding the permit or issue a license for only that portion of the authorized use developed in accordance with the permit.

In order to resolve this issue, you must submit a completed "Notice of Abandonment of Water Right" form for water right 74-601C and 74-601E. Please note that the form requires a notarized signature. There is no fee for this form.

If you believe a water right license should be issued to you, please supply information to demonstrate that you have formally abandoned water right 74-601C and 74-601E. If I do not receive the requested information from you within thirty (30) days, I will take action to void your permit under the provision of Section 42-219(8) of the Idaho Code. If you are no longer interested in your permit, you can shorten the voiding process by signing and returning the enclosed relinquishment form. If you have any questions, please contact me.

Sincerely,

Daniel A. Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone # (208) 287-4856
Fax (208) 287-6700 (C/O Dan Nelson)
Email dan.nelson@idwr.idaho.gov

SCANNED

MAY 28 2015