



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

August 29, 2013

SDG HOLDING CO INC
4163 BEACH DR SW NO 102
SEATTLE WA 98116

RE: License No. 86-7361

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. 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 208-287-4916.

Sincerely,

Craig L. Saxton
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2013, 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.

86-7361

**SDG HOLDING CO INC
4163 BEACH DR SW NO 102
SEATTLE WA 98116**



**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.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 86-07361

Priority: July 27, 1998

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 4.8 AF

It is hereby certified that SDG HOLDING CO INC
4163 BEACH DR SW NO 102
SEATTLE WA 98116 has complied with the terms and conditions of
the permit, issued pursuant to Application for Permit dated July 27, 1998; and has submitted Proof of
Beneficial Use on August 26, 1999. 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>
DOMESTIC	01/01 to 12/31	0.06 CFS	4.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, Twp 36N, Rge 05W, B.M. NEZ PERCE County

PLACE OF USE: DOMESTIC

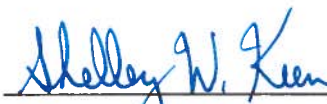
Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
36N 05W 26							X	X									

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. Point of diversion is located within Parcel 29 Northridge Subdivision.
4. Place of use is located within Parcels 26-29 Northridge Estates Subdivision.
5. Domestic use is for 4 homes.
6. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

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 and sealed this 28th day of August, 2013.


GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment To Water Right License

86-7361

This map depicts the DOMESTIC 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.

05W



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

0 0.05 0.1 0.2 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN HOUSE BENEFICIAL USE REPORT

A. GENERAL INFORMATION

Permit No: 86-7361

Exam Date: 8/23/2013

1. Current Owner: SDG HOLDING CO INC
4163 BEACH DR SW NO 102
SEATTLE WA 98116
(208)746-2661
2. Accompanied by: In-house exam, N/A
Phone No: N/A
Address: N/A
Relationship to Permit Holder: N/A

3. SOURCETRIBUTARY

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None
2. Other water rights with the same point of diversion: None

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

GROUND WATER SE1/4NW1/4 Sec. 26, Twp 36N, Rge 05W, B.M.

NEZ PERCE County

Method of Determination: Well driller's report, air photography and water right permit documentation.

2.

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
36N 05W 26	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	3.5
								3.0				.5					

Total Acres: 3.5

Method of Determination: Air photos of lots included in POU

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.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
D0005182	UNK	3.0	UNK	UNK	UNK

photo

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
-----Not applicable-----						

2. Measurements:
In-house exam, no measurements were taken.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Theoretical Horsepower Equation Worksheet was used to determine the flow rate from the well. Using the information provided in the proof of beneficial use form (pump horsepower and pumping level), a flow rate of 0.06 cfs was computed.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: No irrigation component, not required.

2. Volume Calculations for Other Uses:

Four lots have been developed under this permit. For in-house and external domestic uses, 1.2 AF per home was used.

$$4 \times 1.2 = 4.8 \text{ AF}$$

G. NARRATIVE/REMARKS/COMMENTS

Water right permit 86-7361 was approved to provide domestic in-house use for 7 residential lots and the irrigation of 3.5 acres in Nez Perce County. The permitted places of use are lots 7-9, & 26-29 of the Northridge Estates subdivision in Township 36N 05W Section 26. The source of the water for the permit is groundwater, with one well serving as the POD for the subdivision.

Upon review during the in-house field exam, it appears that not all of the lots were developed. Based on aerial photography and tax lot information, it appears 4 lots have been developed (lots 26-29). Lots 7-9 appear barren on the air photos and do not appear to have used any water since the approval of the permit. An irrigation component was included in the permit. However, after further review, it appears there has been very little irrigation occurring on the residential lots. No other irrigation appears to have occurred. The largest section of irrigated land appears to be on lot 28, were approximately 0.17 acres of landscaped lawn area appears to have been irrigated.

The driller's report for the POD was located and reviewed. The report indicates that the well was pump tested at 30 gpm for 2 hours. This flow rate is relatively close to the flow rate that was determined using the theoretical horsepower equation, using the pumping level and horsepower indicated on the proof of beneficial use form.

Based on the review work conducted for this in-house exam, I recommend that the irrigation component be removed from this water right and that it is licensed for internal and external uses for four domestic lots. Using 1.2 AF per lot, I recommend a volume limit of 4.8 AF and a maximum diversion rate of 0.06 cfs.

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

H. RECOMMENDATIONS**1. Recommended Amounts**

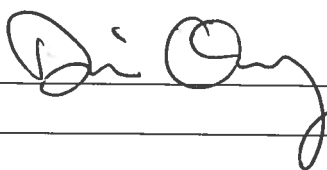
<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	1/01 to 12/31	0.06 CFS	4.8 AF
<u>Totals:</u>		0.06 CFS	

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 ☐ Other

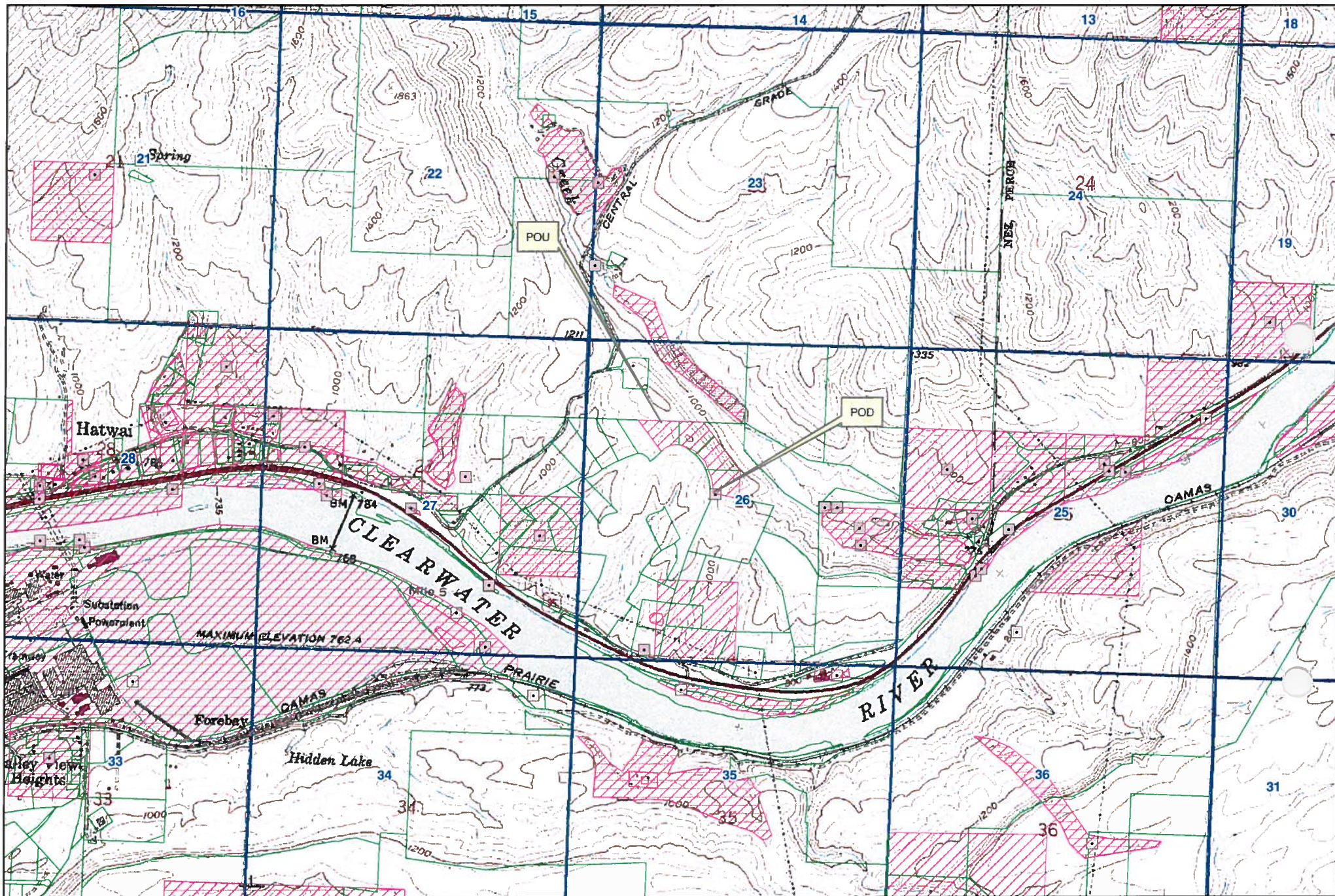
I. AUTHENTICATION

Field Examiner's Name_ Dennis Owsley  Date_ 8/23/2013 _____

Reviewer _____ Date _____



In-house field exam for water right 86-7361



0 0.25 0.5 1 Miles

In-house field exam for water right 86-7361

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 86-7361
 Examiner: D. Owsley
 Date of Field Exam: 8/22/2013

	Option 1	Option 2	Option 3
P/D No.: D0005182			
PUMP HORSEPOWER	3	3	3
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	280	280	280
DISCHARGE PRESSURE	10	20	30
FRICTION	0	0	0
RATE OF FLOW (cfs)	0.06	0.06	0.05
(gpm)	27.4	25.4	23.7

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.

Examiners Notes:

Horsepower and pumping level was taken from Proof of Beneficial Use form. Using 20 psi as a discharge pressure, a flow rate of 25 gpm or 0.06 cfs was calculated.

