

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 95-17259

Priority: January 30, 2017

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 2.5 AF

It is hereby certified that:

GALLOWAY HOMEOWNERS ASSN C/O DAVE GALLOWAY
3283 E AXEHANDLE HARRISON ID 83833-0056

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 30, 2017, and has submitted Proof of Beneficial Use on January 24, 2022. An examination confirms water is diverted from:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	2.4 AF

Location of Point(s) of Diversion

GROUND WATER L3 (NW¼ SW¼), Sec. 16, Twp 49N, Rge 03W, B.M. KOOTENAI County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	03W	16										X L3							

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	
49N	03W	16										X L3							

Conditions of Approval

1. Point of diversion is located within Lot 3, Blk. 1, Galloway Family Subdivision.
2. Place of use is located within Lots 2 & 3, Blk. 1, Galloway Family Subdivision.
3. Domestic use is for 2 homes.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot.
5. This right does not grant any right-of-way or easement across the land of another.

SCANNED

MAY 30 2023

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 95-17259

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 30th day of May, 2023.

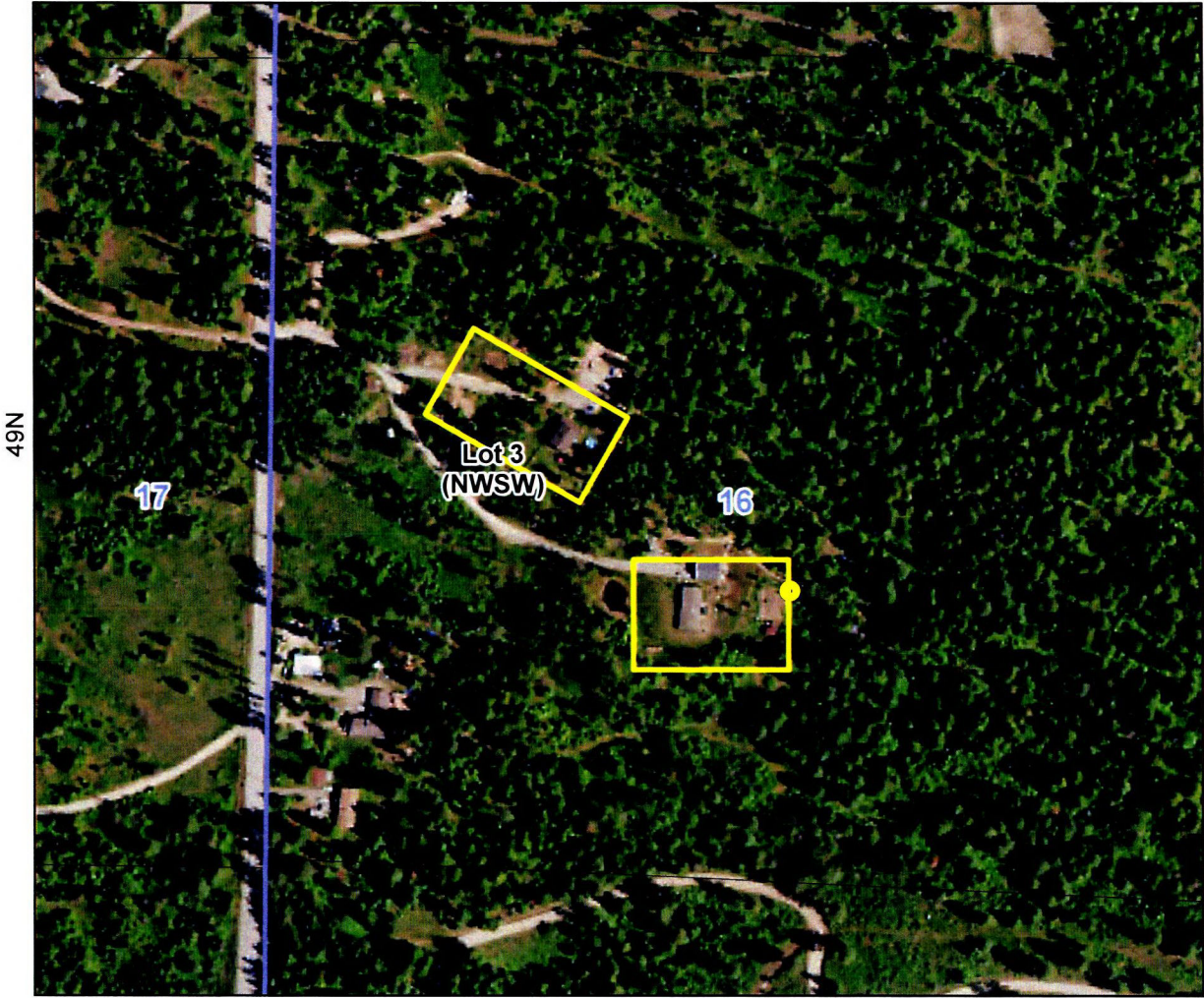
Michelle Richman

MICHELLE RICHMAN
Northern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Water Right License
95-17259

This map depicts the DOMESTIC & 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.

03W



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

0 0.035 0.07 0.14 Miles



SCANNED

MAY 30 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 30, 2023

GALLOWAY HOMEOWNERS ASSN
C/O DAVE GALLOWAY
3283 E AXEHANDLE
HARRISON ID 83833-0056

RE: License No. 95-17259

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. 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 the Northern Region Office at (208) 762-2800.

Sincerely,

Michelle Richman
Northern Regional Manager

Enclosure(s)

SCANNED
MAY 30 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2023, I served a true and correct copy of Water Right License No. 95-17259 by U.S. Mail, postage prepaid, to the following:

GALLOWAY HOMEOWNERS ASSN (Current Owner)
C/O DAVE GALLOWAY
3283 E AXEHANDLE
HARRISON ID 83833-0056

HMH ENGINEERING (Representative)
C/O ERIC OLSON
1302 W HAYDEN AVE
HAYDEN ID 83835



Tammy Alleman
Administrative Assistant 1

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
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 95-17259
Exam Date: 07/26/2022

1. Current Owner:
GALLOWAY HOMEOWNERS ASSN C/O DAVE GALLOWAY
3283 E AXEHANDLE HARRISON ID 83833-0056

2. Accompanied by: David Galloway
Phone No: 208-446-9930
Address: Same as above
Relationship to permit Holder: Permit holder

3. **SOURCE:**
GROUND WATER

Method of Determination: Arcmap and DRG.

B. OVERLAP REVIEW

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

Comments: Statutory Claim 95-4155 has an overlapping POU but was not filed on in the CSRBA process & will be disallowed when the adjudication process finalized. The applicant didn't express knowledge of this claim and asserts it is not associated with his system. Decreed WR 95-13528 uses 2ea GW well located in Lot 2, Blk 1; Galloway Family Subdivision which serves a small cabin along the road frontage of lot 2. 95-13528's water system and use is separate from this right's use and does not overlap the domestic/stockwater use of this WR. Both rights are not a concern for overlap.

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

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

GROUND WATER L3 (NW¼ SW¼), Sec. 16, Twp 49N, Rge 03W, B.M. KOOTENAI County

Method of Determination: GPS; POD located at -116°44.4543, 47°35.3351 well D-Tag D0073547

PLACE OF USE: DOMESTIC & STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	03W	16										X L3							

Method of Determination: Beneficial use field exam and Arcmap aerial imagery.

3.

X Delivery System Diagram Attached (required). Indicate all major components and distances between components.
X Indicate weir size/pipe as applicable.

X Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

X Photo of Diversion and System Attached

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MAY 30 2023

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
D0073547	FRANKLIN ELECTRIC	2	UNKOWN	UNKOWN	UNKNOWN

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Unable to perform a flow measurement due to inadequate pipe requirements. A Theoretic Pump Equation derived a flow rate of 10.6 gpm, for a 2 HP pump motor, or **0.02 cfs** considering department rounding standards

E. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method: Theoretic Pump Equation = 2 hp pump installed at depth of 493 with operating pressure of 45 PSI derives a flow rate of 10.6 gpm or 0.02 cfs considering department rounding standards.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

2. Volume Calculations for Other Uses: Stockwater annual volume for 20 chickens = **0.1 af** considering department rounding standards

G. NARRATIVE/REMARKS/COMMENTS

Field exam conducted on 7/26/2022 with the applicant, David Galloway, showed a groundwater well providing water for domestic & stockwater uses. At the POD, well D0073547 has a 2 hp pump motor installed and buried water main which runs down a dirt road to a small pump house. At the pump house the main line splits and routes to two separate homes on two parcels for use. I was unable to perform a flow measurement due to inadequate pipe requirements and water flowing directly to pressure tank prior to the first available frost-free hydrant. A Theoretic Pump equation derives a flow rate of 0.02 cfs considering department rounding standards. This value is supported by the well driller report drawdown test illustrating 8 gpm from the well.

Permit approved development for diversion rates of 0.08 cfs for domestic & 0.02 cfs for stockwater. The applicant proved 2 homes developed for domestic use and identified the total use of 0.01 cfs in parenthesis on the form indicating he is aware of the low producing well pump capacity. Two homes are authorized 0.06 cfs by department standard, but applicant is limited to pump performance found at time of field exam. I am recommended 0.02 cfs for each beneficial use (domestic & stockwater); the maximum diversion rate equal recommended for licensing purposes equals **0.02 cfs**.

The domestic & stockwater POU(s) were walked with the applicant during the exam and sketched out on field maps. During licensing review Arcmap aerial imagery was used to trace out each POU which consist of a home w/shop, up to ½ acre irrigation, and stockwater use for 10 chickens found on each parcel (Lots 2 & 3, Blk 1, Galloway Homeowners Sub). The annual volume for domestic use 2 homes each authorized ½ acre irrigation equals **2.4 af**, annual volume for stockwater 20 chickens equals **0.1 af**, and the maximum diversion volume for licensing purposes equals **2.5 af**. The applicant waters yard, landscape, and garden space using micro emitters & hose to sprinklers.

Conditions 26A, 046, & X02 were removed from the permit during licensing review. Condition X04 was revised to reflect 2 homes being developed vice 3. Condition 187 was replaced with 070 accurately describing up to ½ acre irrigation per platted subdivision lot instead of per home as permit approved. Conditions X59 & X60 were added to describe the well POD and POU being in a named subdivision by lot/block. All other conditions from the permit are carried forward to licensing. All overlapping water right considerations are discussed above PG1 - there are no overlap concerns for this water right.

H. RECOMMENDATIONS

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	2.4 AF

2. Recommended Amendments

Change P.U. as reflected above	Add P.U. as reflected above	X	None
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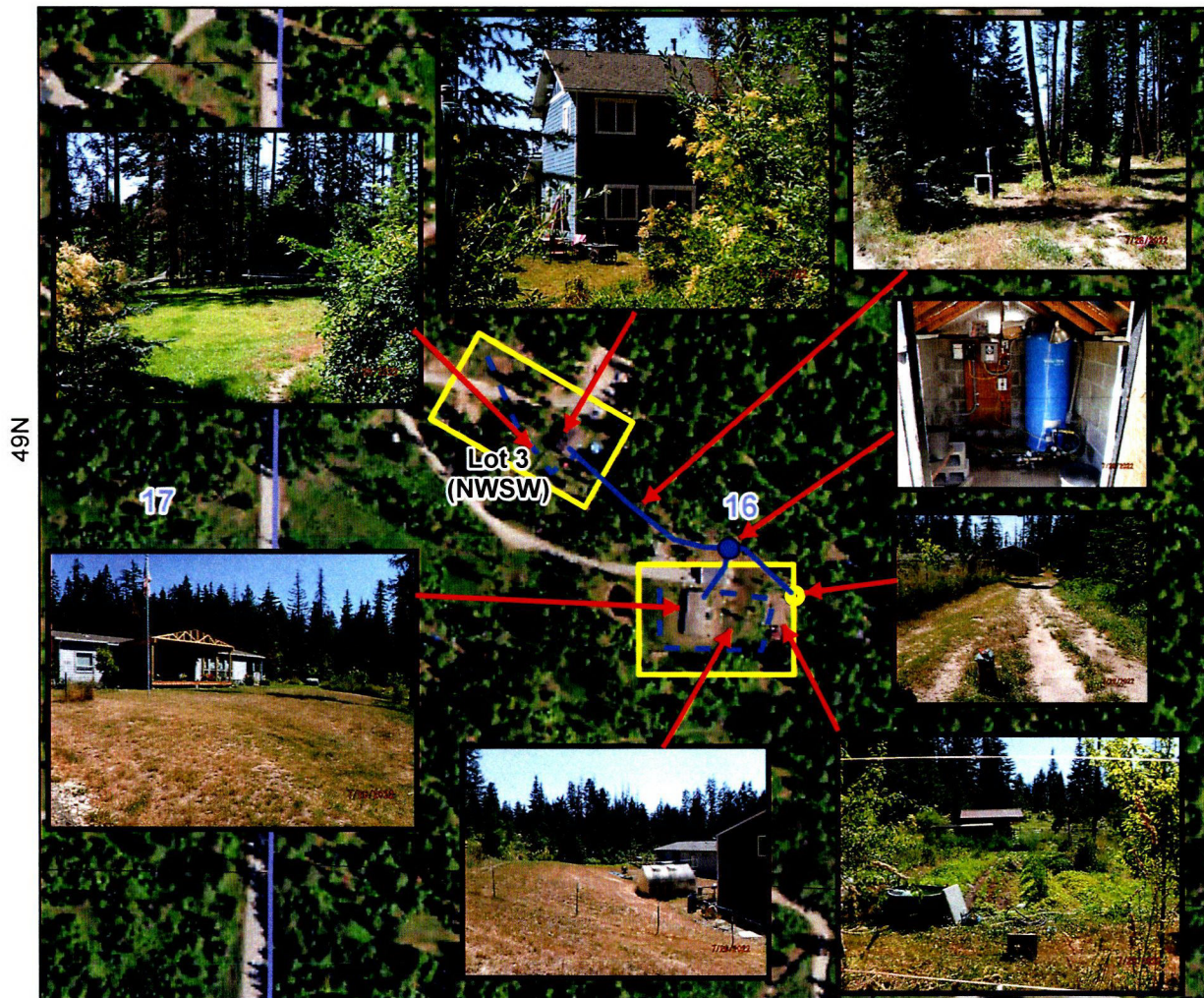
Luke Bates -

Reviewer _____ Date _____

State of Idaho
Department of Water Resources
Attachment to Field Exam
95-17259

DOMESTIC & STOCKWATER system diagram.

03W



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

0 0.035 0.07 0.14 Miles



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MAY 30 2023

THEORETICAL PUMPING EQUATION(S) FOR WR# 95-17259

Theoretical Pumping Equation is required because system did not allow for a proper measurement. Pump is estimated to lift 493 ft, and running at 45 psi.

PUMP EQUATION

WATER RIGHT No. 95-17259

D0073547	HP	H in feet	Efficiency as a decimal	Pumping lift in feet	System pressure in PSI
Q = $HP \cdot 8.8 \cdot \text{Eff} / H$	2	597.0816	0.8	493	45
Q = 0.024 cfs 10.6 gpm					

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MAY 30 2023



BENEFICIAL USE FIELD EXAMINATION DATE 7/26/2022



POD – GROUNDWATER WELL

SCANNED

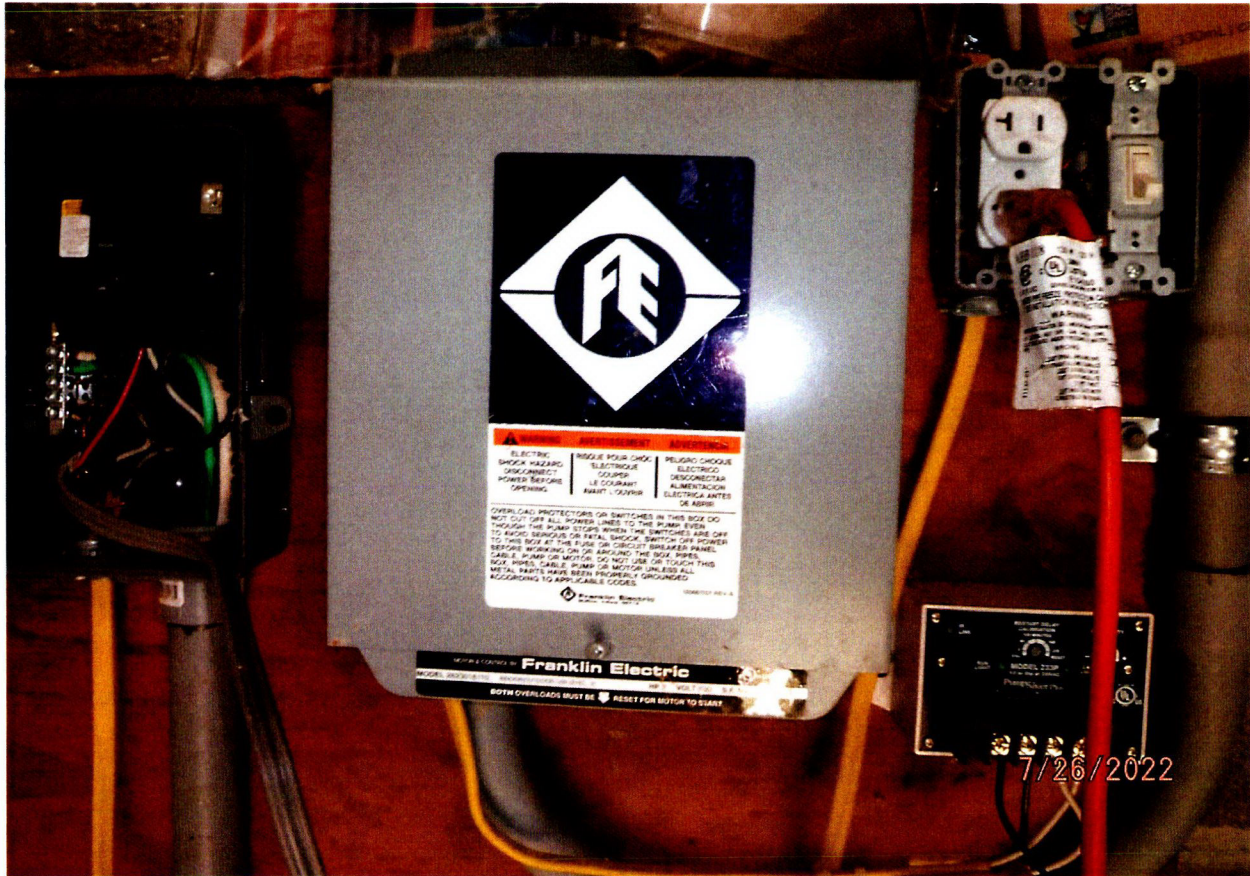
MAY 30 2023



WELL D-TAG D0073547



PUMP HOUSE – WATER DIVERTING WORKS



FRANKLIN ELECTRIC 2 HP PUMP MOTOR INSTALLED IN WELL





45 PSI OPERATING PRESSURE



DOMESTIC POU – LT 3, BLK 1; GALLOWAY FAMILY SUBDIVISION RPOL1490010030

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MAY 30 2023



DOMESTIC POU & STOCKWATER POU – GARDEN & CHICKEN COOP IN BACKGROUND FOR LT 3, BLK 1.



DOMESTIC POU – LT 2, BLK 1; GALLOWAY FAMILY SUBDIVISION RP0L1490010020



DOMESTIC & STOCKWATER POU – LAWN AND AREA FOR CHICKENS FOR LT2, BLK 1.



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MAY 30 2023