

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

RECEIVED

APR 29 2022

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 84902 IN THE)
NAME OF SILVER SAGE OWNERS)
ASSOCIATION INC.)

**AMENDED
ORDER APPROVING JOINT
STIPULATION AND
VACATING HEARING**

DEPT OF WATER RESOURCES
SOUTHERN REGION

On January 24, 2022, the Department issued a *Notice of Hearing and Scheduling Order*, scheduling this contested case for a hearing to take place on April 28 and 29, 2022. On April 22, 2022, the parties to this contested case filed a Joint Stipulation and Motion to Approve Conditions ("Joint Stipulation"). The *Joint Stipulation* proposes to permanently reduce the diversion rate for water right 37-20843 by 0.01 cfs and to hold a portion of water right 37-8409 (0.01 cfs, 1.75 acre-feet, 0.5 acres) unused to mitigate for the changes proposed in Application for Transfer 84902. The *Joint Stipulation* proposes to change the beneficial use for the 0.5-acre portion of water right 37-8409 to Mitigation by Non-Use.

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The changes to water rights ~~34~~³¹-20843 and 37-8409 described in the *Joint Stipulation* are reasonable and should be incorporated into any approval of Transfer 84902. Upon approval of the *Joint Stipulation*, through this order, the protest filed by the Idaho Water Resource Board is effectively withdrawn. Because there are no remaining protests pending against Application for Transfer 84902, the hearing scheduled for April 28 and 29, 2022 should be vacated.

ORDER

IT IS HEREBY ORDERED that the *Joint Stipulation* is accepted, and the changes proposed for water rights ~~34~~³¹-20843 and 37-8409 shall be incorporated into any transfer approval if Application for Transfer 84902 is approved. Because the protest against Application for Transfer 84902 has been withdrawn, the Department (Southern Region Office) may resume its review of the application.

IT IS FURTHER ORDERED that the hearing scheduled for April 28 and 29, 2022 and all remaining disclosure deadlines are VACATED.

Dated this 22nd day of April 2022



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of April 2022, true and correct copies of the documents described below were served by email to the following:

Documents Served: Amended Order Approving Joint Stipulation and Vacating Hearing

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