

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 35-13918

Priority: March 24, 2009

Maximum Diversion Rate: 0.48 CFS

Maximum Diversion Volume: 48.6 AF

It is hereby certified that:

GROVELAND WATER & SEWER DISTRICT
PO BOX 833
BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 24, 2009, and has submitted Proof of Beneficial Use on June 22, 2021. 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>
MUNICIPAL	01/01 to 12/31	0.48 CFS	48.6 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ SW¼, Sec. 28, Twp 02S, Rge 35E, B.M. BINGHAM County

Place of Use: MUNICIPAL

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
02S	35E	28			X				X	X	X	X		X		X	L2	

Conditions of Approval

1. Rights 35-8354, 35-13917 and 35-13918 when combined shall not exceed a total diversion rate of 1.06 cfs and a total annual maximum diversion volume of 78.6 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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6. This right is limited to in-house use at 81 homes and does not include lawn, garden, landscape, or other types of irrigation.
7. Place of use is within the service area of Groveland Water & Sewer District. as provided for under Idaho law. The place of use is generally located within Section 28 Township 02S, Range 35E.
8. This right does not grant any right-of-way or easement across the land of another.

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 19th day of November, 2021.



JAMES CEFALO
Eastern Regional Manager





November 19, 2021

GROVELAND WATER & SEWER DISTRICT
PO BOX 833
BLACKFOOT ID 83221

RE: License No. 35-13918

ISSUANCE OF LICENSE

Dear Water Right Holder:

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 me at (208) 497-3784.

Sincerely,

James Cefalo
Eastern Regional Manager

Enclosure(s)

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

I hereby certify that on November 19, 2021, I served a true and correct copy of Water Right License No. 35-13918 by U.S. Mail, postage prepaid, to the following:

GROVELAND WATER & SEWER DISTRICT
PO BOX 833
BLACKFOOT ID 83221

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC
C/O ROGER WARNER
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402

WATER DISTRICT #120
BLAKE JORDAN
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402



Christina Henman
Administrative Asst. I