

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 61-12334

Priority: October 18, 2018

Maximum Diversion Rate: 0.14 CFS

This is to certify that

OASIS VOLUNTEER FIRE DEPT INC 15165 W SOLES REST CREEK RD OASIS ID 83647

has applied for a permit to appropriate water from:

Source : GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
FIRE PROTECTION	01/01 to 12/31	0.10 CFS

Location of Point(s) of Diversion

GROUND WATER L2 (¼ NW¼ NE¼), Sec. 3, Twp 02S, Rge 05E, B.M. ELMORE County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	05E	3		X L2															

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	
02S	05E	3		X L2															

Place of Use: FIRE PROTECTION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	05E	3		X L2															

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2024**.
2. Subject to all prior water rights.
3. The commercial and domestic use authorized under this right shall not exceed a total diversion rate of 0.04 cfs and a total daily maximum diversion volume of 2,500 gallons.

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4. Domestic use is for inside the Oasis Volunteer Fire Station and does not include lawn, garden, landscape, or other types of irrigation.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 12th day of February, 2019.



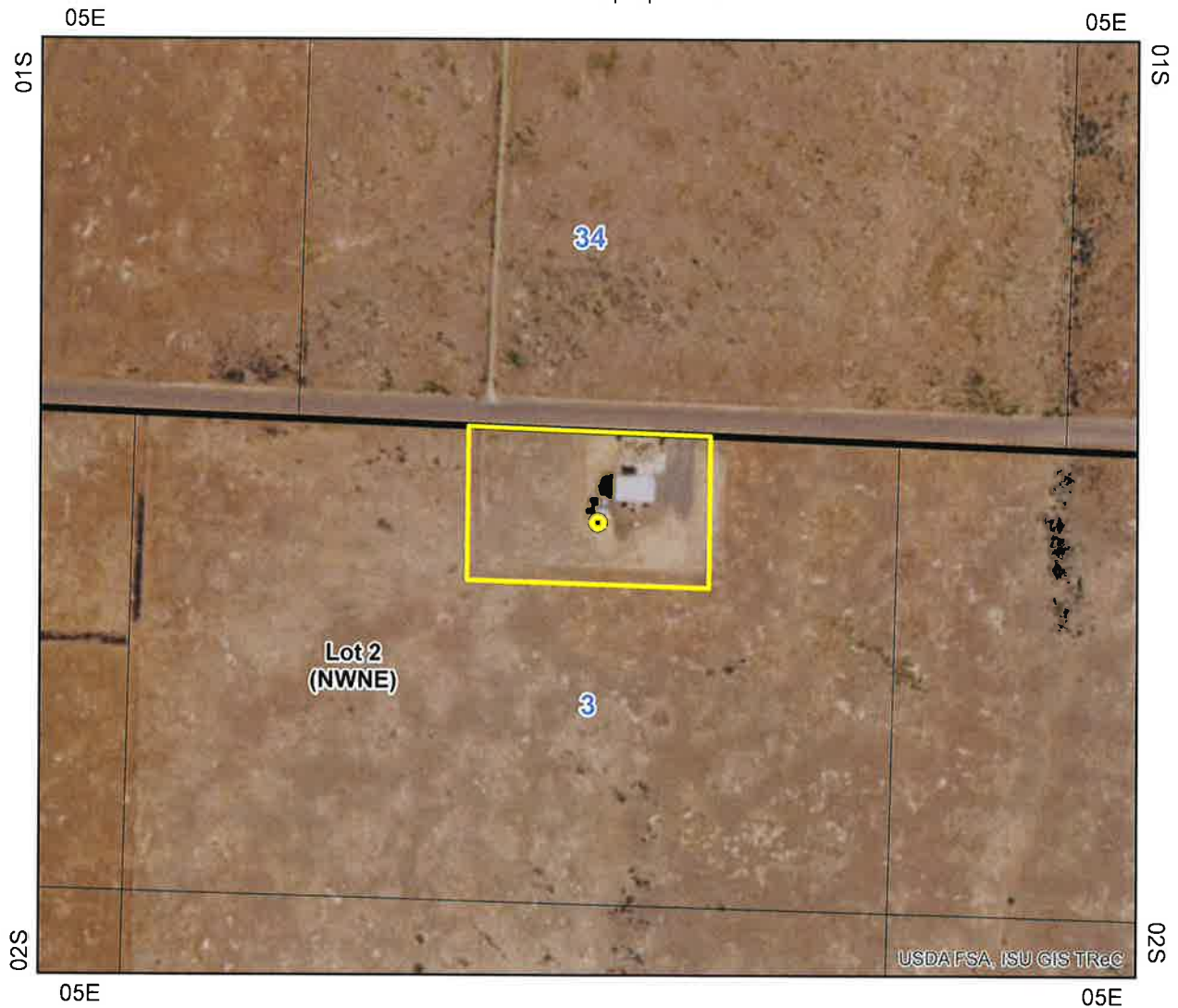
NICK MILLER
Engineer, Manager 2

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

61-12334

This map depicts the DOMESTIC, COMMERCIAL & FIRE PROTECTION 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.



0 0.035 0.07 0.14 Miles

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





Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Gary Spackman
Director

February 12, 2019

OASIS VOLUNTEER FIRE DEPT INC
15165 W SOLES REST CREEK RD
OASIS ID 83647

RE: Permit No. 61-12334

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued 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.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Also, please note that permit holders are required to report any change of 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. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Anna Karzer

Anna Karzer

FM

Nick Miller
Engineer, Manager 2

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2019, I served a true and correct copy of Permit to Appropriate Water No. 61-12334 by U.S. Mail, postage prepaid, to the following:

OASIS VOLUNTEER FIRE DEPT INC (Current Owner)
15165 W SOLES REST CREEK RD
OASIS ID 83647

BOB RUTH (Representative)
19550 N DEL NORTE PL
OASIS ID 83647



Anna Kaiser
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.

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
State of Idaho

I, **Joy Martinez**, do solemnly swear that I am the Legal Clerk of the:

Mountain Home News

A weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto which is a part of publication thereof; was published in said newspaper for 2 consecutive weeks, the first publication having been made on the 16 day of Jan, 2019, and the last publication having been made on the 23 day of Jan, 2019; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

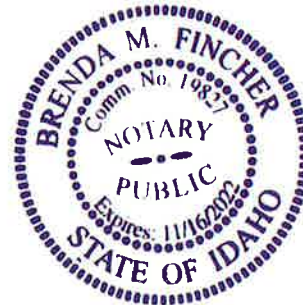
And I further swear that the said Mountain Home News has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

Joy Martinez
Legal Clerk
Subscribed and sworn to me this 24th day of Jan, 2019.

Brenda M. Fincher
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires **11-16-2022**.



RECEIVED
JAN 28 2019

WATER RESOURCES
WESTERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81800

CASA DEL NORTE LP,
11204 N BAR 21 DR, GLENNS
FERRY, ID 83623, has filed Application No. 81800 for changes to the following water rights within ELMORE County(s): Right No(s). 61-10363, 61-11854, 61-11885, 61-2008, 61-2111, 61-301A, 61-301B, 61-332, 61-333, 61-334, 61-335, 61-336, 61-337, 61-338, 61-339, 61-340, 61-343, 61-364; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of the transfer application is to change the place of use for portions of the listed rights and add points of diversion that already exist to specific rights. The place of use changes involve land described within Twn 4N Rge 9E Sections 8, 17 and 29. The transfer also proposes to add a point of diversion to ground water rights no. 61-301A and 61-301B. Additional Point of Diversion changes will add Cold Springs Creek diversions to water rights 61-2111 and 61-11885. These proposed changes would occur approximately 13 miles east of Mountain Home, near the end of Bennet Road.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at

(208) 334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application

must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a

protest fee of \$25.00 for each application on or before 2/4/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

First Publication:
January 16, 2019
Second Publication:
January 23, 2019

The following applications have been filed to appropriate the public waters of the State of Idaho:

61-12334

OASIS VOLUNTEER FIRE
DEPT INC
15165 W SOLES REST CREEK
RD

OASIS, ID 83647

Point of Diversion L2(NWNE)
S3 T02S R05E ELMORE County
Source GROUND WATER

Use: COMMERCIAL 01/01 to
12/31 0.06 CFS

Use: DOMESTIC 01/01 to 12/31
0.04 CFS

Use: FIRE PROTECTION 01/01
to 12/31 0.1 CFS

Total Diversion: 0.2 CFS

Date Filed: 10/18/2018

Place Of Use: COMMERCIAL,
DOMESTIC, FIRE PROTEC-
TION

T02S R05E S3 L2(NWNE)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80342

CASA DEL NORTE LP,
11204 N BAR 21 DR, GLENNS
FERRY, ID 83623, has filed Application No. 80342 for changes to the following

water rights within EL-
MORE County(s): Right No(s).
61-11887A, 61-2095A, 61-
2199A, 61-2209A; to see a full
description of these rights and
the proposed transfer, please
see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: This transfer proposes to add a point of diversion to water right nos. 61-2095A, 61-2199A, 61-2209A, and 61-11887A. The new point of diversion is from a well located in the NW NW of Section 10, Twp 4S Rge 9E drilled in October of

2018. The general location is
10 miles NW of Glens Ferry.