

State of Idaho
Department of Water Resources

AMENDED Water Right License AMENDED

WATER RIGHT NO. 63-33930

PRIORITY: June 18, 2014

Maximum Diversion Rate: 1.43 CFS

It is hereby certified that:

LAKES AT TELAGA HOA PO BOX 57 EAGLE ID 83616

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 04, 2014, and has submitted Proof of Beneficial Use on September 29, 2014. 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	0.31 CFS	24.6 AF
FIRE PROTECTION	01/01 to 12/31	1.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SW¼ Sec. 3, Twp 04N, Rge 02W, B.M. CANYON County

GROUND WATER NW¼SW¼ Sec. 3, Twp 04N, Rge 02W, B.M. CANYON County

GROUND WATER SW¼SE¼ Sec. 3, Twp 04N, Rge 02W, B.M. CANYON County

PLACE OF USE: FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	3													X	X			

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	3													X	X			

CONDITIONS OF APPROVAL

1. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
2. 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.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of

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water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

4. Domestic use is for 41 homes and does not include lawn, garden, landscape, or other types of irrigation.
5. This right does not grant any right-of-way or easement across the land of another.
6. Domestic place of use is located within Lots 2-20, Blk. 1; Lot 2, Blk. 2; Lots 4-10, Blk. 2; Lots 2-7, Blk. 3; and Lots 9-17, Blk. 3, Lakes at Telaga 1 Subdivision.
7. Fire protection place of use is located within the Lakes at Telaga 1 Subdivision.

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 this 15th day of August, 2018.



GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment to Water Right License
63-33930

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.



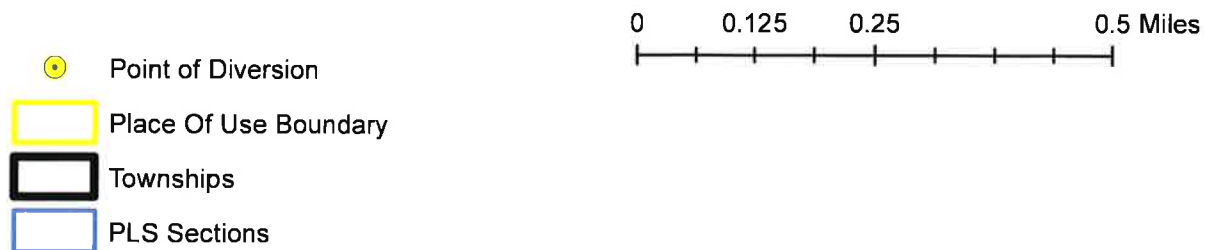
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.125 0.25 0.5 Miles



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This map depicts the 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.





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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 15, 2018

LAKES AT TELAGA HOA
PO BOX 57
EAGLE ID 83616

RE: Amended Water Right License 63-33930

Dear Water Right Holder:

The Department of Water Resources has issued an amended water right license for water right no. 63-33930. The amended license includes one additional domestic use with associated diversion rate and annual diversion volume. The amended license supersedes the license issued on July 6, 2018.

The enclosed Amended License is a FINAL ORDER issued by the Department pursuant to Rule 760 of the Department's Rules of Procedure (IDAPA 37.01.01). Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order as shown on the certificate of service and described in the enclosed information sheet.

If you disagree with the final order, you can petition for reconsideration, request a hearing or appear to district court as further described on the enclosed information sheet.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela S. Skaggs
Water Rights Supervisor

CERTIFICATE OF SERVICE

I hereby certify that on **August 16, 2018** I mailed a true and correct copy, postage prepaid, of the foregoing FINAL ORDER (**AMENDED LICENSE**) to the person(s) listed below:

RE: Final Order in the Matter of Permit No. **63-33930**

**LAKES AT TELAGA HOA
PO BOX 57
EAGLE ID 83616**



**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 740.02)

The accompanying order is a "Final Order" issued by the department pursuant to section 67-5246, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **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 67-5246(4), Idaho Code.

REQUEST FOR HEARING

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing. See section 42-1701A(3), Idaho Code. **Note: The request must be received by the Department within this fifteen (15) day period.**

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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: a) the service date of the final order, b) the service date of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.