

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-34213

Priority: April 05, 2016

Maximum Diversion Rate: 0.20 CFS

This is to certify, that GOOSE RIDGE HOMEOWNERS CORP
17014 GOOSE LN
CALDWELL ID 83607

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>
DOMESTIC	01/01 to 12/31	0.12 CFS
IRRIGATION	03/01 to 11/15	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Twp 03N, Rge 03W, B.M. CANYON County**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	
03N 03W 30													X			X	
													L 12				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 03W 30													5.0			2.0	7.0
													L 12				

Total Acres: 7

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2021**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Domestic use is for seven (7) homes and does not include lawn, garden, landscape, or other types of irrigation.

State of Idaho
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NO. 63-34213

7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
8. 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.

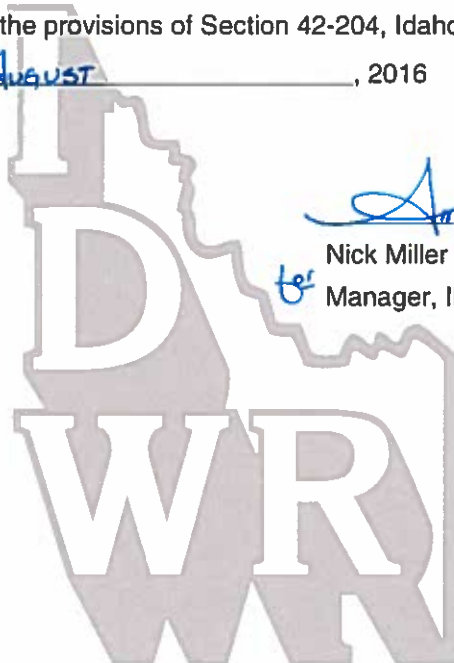
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Signed this 24 day of AUGUST, 2016



Nick Miller

for Manager, IDWR Western Region



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

63-34213

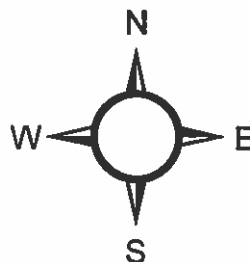
This map depicts the DOMESTIC and IRRIGATION point of diversion and place of use boundary for this water right at the of this approval and is attached to the approval document solely for illustrative purposes.



0 0.03 0.06 0.12 Miles

Legend

-  Water Permit POD
-  Water_Permit_Pou
-  Township/Range
-  Sections



2015 aerial imagery



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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

August 24, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

GOOSE RIDGE HOMEOWNERS CORP
17014 GOOSE LN
CALDWELL ID 83607

RE: Permit No.63-34213

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

 Rachel Neely for:

Nick Miller
Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-34213

**GOOSE RIDGE HOMEOWNERS CORP
17014 GOOSE LN
CALDWELL ID 83607**



**Rachel Neely
Administrative Assistant**

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.

No. C 188126	Due no later than Aug 31, 2016		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. GOOSE RIDGE HOMEOWNERS CORPORATION JOY L DAVIS 17014 GOOSE LANE CALDWELL ID 83607		JOY L DAVIS 17014 GOOSE LANE CALDWELL ID 83607			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	KATHY ABEL	17060 GOOSE LANE	CALDWELL	ID	USA	83607
SECRETARY	JOY L DAVIS	17014 GOOSE LANE	CALDWELL	ID	USA	83607
PRESIDENT	TIM STANDERFORD	17008 GOOSE LANE	CALDWELL	ID	USA	83607
5. Organized Under the Laws of: ID C 188126		6. Annual Report must be signed.* Signature: Joy L. Davis Name (type or print): Joy L. Davis Date: 06/30/2016 Title: Secretary				
Processed 06/30/2016		* Electronically provided signatures are accepted as original signatures.				

Grimm, Angie

From: Grimm, Angie
Sent: Monday, August 22, 2016 8:03 AM
To: 'Joy and Scotty Davis'
Subject: RE: Application for Permit 63-34213 - Justification Needed for Domestic Rate

Joy,

Good morning! Thank you for your quick response! The Department will move forward with permit approval accordingly.

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

From: Joy and Scotty Davis [<mailto:joyandscotty@yahoo.com>]
Sent: Friday, August 19, 2016 7:27 AM
To: Grimm, Angie
Cc: tims@agri-lines.com; norma.standerford@syngenta.com
Subject: RE: Application for Permit 63-34213 - Justification Needed for Domestic Rate

Good morning Angie –

The rate of water of 0.12 cfs is sufficient for the Goose Ridge HOA.

Please confirm receipt. Thank you.

Joy Davis

From: Grimm, Angie [<mailto:Angie.Grimm@idwr.idaho.gov>]
Sent: Friday, August 12, 2016 1:24 PM
To: joyandscotty@yahoo.com
Subject: Application for Permit 63-34213 - Justification Needed for Domestic Rate

Dear Applicant:

Good afternoon! Attached is a copy of a letter sent U.S.P.S. regarding your application for water right permit 63-34213. Some additional information may be needed before a permit can be issued. Please let me know if you have difficulty opening the attachment or other questions regarding this letter.

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor

IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

Grimm, Angie

From: Grimm, Angie
Sent: Friday, August 12, 2016 1:24 PM
To: 'joyandscotty@yahoo.com'
Subject: Application for Permit 63-34213 - Justification Needed for Domestic Rate
Attachments: DOC001.pdf

Dear Applicant:

Good afternoon! Attached is a copy of a letter sent U.S.P.S. regarding your application for water right permit 63-34213. Some additional information may be needed before a permit can be issued. Please let me know if you have difficulty opening the attachment or other questions regarding this letter.

Regards,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
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State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 12, 2016

COPY

GOOSE RIDGE HOMEOWNERS CORP
17014 GOOSE LN
CALDWELL ID 83607

Re: Application for Permit 63-34213 - Justification Needed for Domestic Rate

Dear Applicant:

The Idaho Department of Water Resources (IDWR) received your water right application seeking ground water for domestic and irrigation purposes for a community production well. The application requests 0.20 cfs for domestic use and 0.14 cfs for irrigation of seven (7) acres of lawn, garden, and/or landscaping associated with seven (7) homes within the subdivision. IDWR Application Processing Memorandum No. 22 states domestic use for multi-household water systems shall only consist of water needed for in-house or culinary use and the lawn, garden and/or landscaping associated with multi-household systems should be described as a separate irrigation use on the permit. The memorandum provides for a maximum domestic use rate of 0.12 cfs for in-house use associated with seven (7) homes. Your application proposes a domestic rate of 0.20 cfs for seven (7) homes, which exceeds the maximum diversion rate allowable per IDWR policy. A greater rate may be considered if you provide additional information justifying the need for a rate in excess of policy. Without further justification, IDWR is inclined to approve a permit for domestic use at a rate of 0.12 cfs, irrigation use at a rate of 0.14 cfs with a total diversion rate limitation of 0.20 cfs.

Please provide a written response justifying the need for a rate in excess of 0.12 cfs for domestic use. Alternatively, if you determine a rate of 0.12 cfs is sufficient to provide domestic water for the subdivision, please provide a written response to that affect. Please provide your written response within the next thirty (30) days. You may seek additional time to provide your response by requesting a delay in processing for up to six (6) months. **Your response must be received within the next thirty (30) days. The application will be voided without a timely written reply.**

Please contact me at 208-334-2190 (or via email at angie.grimm@idwr.idaho.gov) if you have any questions. Thank you for your attention to this matter.

Regards,

Angela M. Grimm, P.G.
Water Rights Supervisor

Cc. Kathy Abel, Director Goose Ridge Homeowner's Corp. - joyandscotty@yahoo.com

29512 1466726

1 IDAHO DEPT OF WATER RESOURCES

WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

LEGAL NOTICE

The following application has been filed to appropriate the public waters of the State of Idaho:

63-34213
GOOSE RIDGE HOME OWNERS CO.
17014 GOOSE LN
CALDWELL, ID 83607
Point of Diversion SESE
S30 T03N R03W CANYON
County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.2 CFS
Use: IRRIGATION 03/01 to 11/15 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 4/5/2016
Place of Use: DOMESTIC T03N R03W S30 L12 (NESE) SESE
Place of Use: IRRIGATION T03N R03W S30 NESE SESE
Total Acres: 7
Water bearing zone to be appropriated is from 130 to 205 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 6/20/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

June 2, 9, 2016

1466726

AFFIDAVIT OF PUBLICATION STATE OF IDAHO

County of Canyon

SS.

Sharon Jessen
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
06/02/2016 06/09/2016

Sharon Jessen
STATE OF IDAHO)

County of Canyon)

On this 9th day of June in the year of 2016 before me a Notary Public, personally appeared. Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Brenda L. Stroud
Notary Public for Idaho

Residing at Canyon County
My Commission expires 05/04/2021

RECEIVE

JUN 13 2016

WATER RESOURCES
WESTERN REGION

