

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09000

Priority: October 01, 1998

Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 28.8 AF

It is hereby certified that EDGEMERE OWNERS ASSOCIATION
 PO BOX 1305
 SPIRIT LAKE ID 83869 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated August 18, 1998; and has submitted Proof of
Beneficial Use on December 15, 2003. 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>
MUNICIPAL	01/01 to 12/31	0.13 CFS	28.8 AF

LOCATION OF POINT(S) OF DIVERSION:

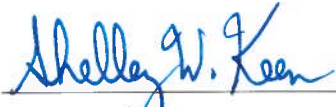
GROUND WATER NW1/4SE1/4 Sec. 9, Twp 54N, Rge 04W, B.M. BONNER County

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
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. Point of diversion is located within Lot 21 of Edgemere Three Phase 1 Subdivision.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
5. Place of use is within the area served by the public water supply system of Edgemere Subdivision Homeowner's Association. The place of use is generally located within the SE Quarter of Section 9, Township 54 North, Range 4 West.

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 13th day of March, 2015.

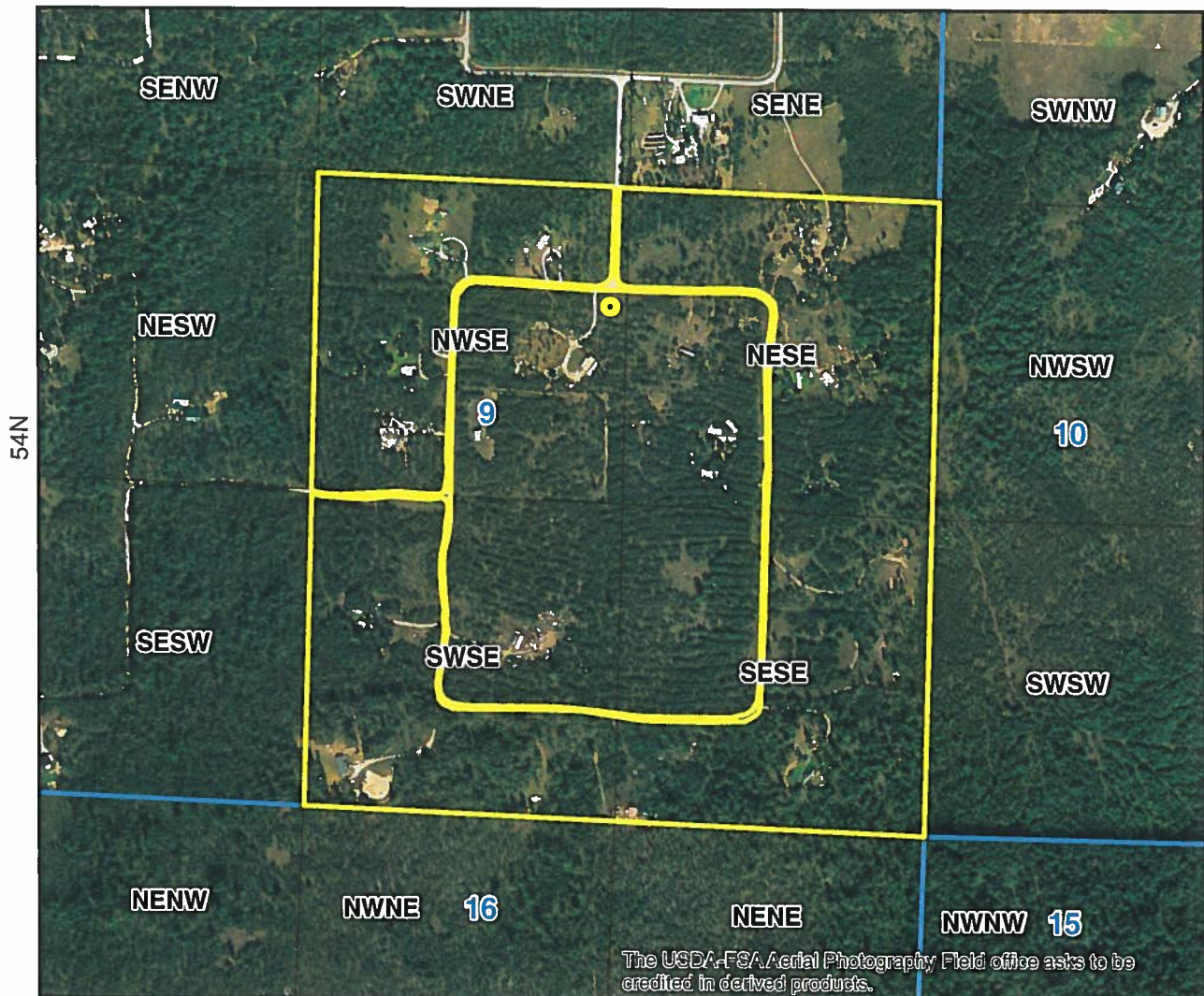

for GARY SPACKMAN
Director

Attachment To Water Right License

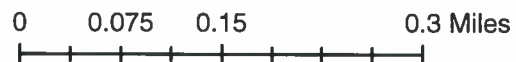
96-9000

This map depicts the MUNICIPAL 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.

04W



-  Point of Diversion
-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters





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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 16, 2015

EDGEMERE OWNERS ASSOCIATION
PO BOX 1305
SPIRIT LAKE ID 83869

RE: License No. 96-9000

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources 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 the conditions of approval and remarks listed on your license. Also enclosed is a copy of the approved application for amendment.

The license 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.

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 208-287-4951.

Sincerely,

Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2015, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 96-9000

**EDGEMERE OWNERS ASSOCIATION
PO BOX 1305
SPIRIT LAKE ID 83869**


Darla Block
Technical Records Specialist

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.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 96-09000

Date of Priority: October 01, 1998

Maximum Diversion Rate: 0.13 CFS

Maximum Diversion Volume: 28.8 AF

Comes now TWIN LAKES INVESTMENTS
PO BOX 920

RATHDRUM ID 83858-0920 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 96-09000, and requests that the permit be changed as follows:

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	0.13 CFS	28.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW1/4SE1/4 Sec. 9, Twp 54N, Rge 04W, B.M. BONNER County

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 4 day of March, 2015.

On behalf of Edgemere Owners

Jonya Amowc

(Signature)

*Sec/ Treas of
Edgemere Owners Assoc.*

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-09000

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$ 100.00 Received by DSB # C099877 Date 03-30-15

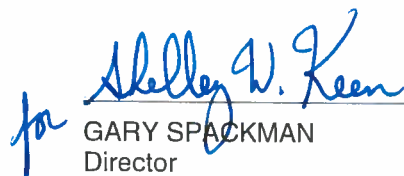
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 96-09000 with the following:

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
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. Point of diversion is located within Lot 21 of Edgemere Three Phase 1 Subdivision.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
5. Place of use is within the area served by the public water supply system of Edgemere Subdivision Homeowner's Association. The place of use is generally located within the SE Quarter of Section 9, Township 54 North, Range 4 West.

Witness my hand this 13th day of March, 2015.


GARY SPACKMAN
Director

Nelson, Dan

From: Nelson, Dan
Sent: Monday, December 29, 2014 11:25 AM
To: 'bob@integritywater.net'
Subject: RE: Edgemere Homeowner's Association Water Right Amendment
Attachments: Twin Lakes Amendment.pdf

Sorry Bob, Here is the amendment and letter

From: Nelson, Dan
Sent: Monday, December 29, 2014 11:22 AM
To: 'bob@integritywater.net'
Subject: Edgemere Homeowner's Association Water Right Amendment

Hello Bob,

Attached you will find the amendment for the Edgemere Homeowner's Association water right. The permit is in Twin Lakes Investments name, and we cannot take it out of their names until an ownership change or assignment of permit is completed. Edgemere Homeowner's Association cannot even sign the amendment until we have the amendment or ownership change to put it into their names. If you need anything else, please let me know. If you or anyone else needs to speak with me, please don't hesitate to call me.

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 29, 2014

TWIN LAKES INVESTMENTS
PO BOX 920
RATHDRUM ID 83858-0920

RE: Water Right Permit No. 96-9000

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the well location for this water right is in the NW1/4 SE1/4 of Section 9, Township 54 North, Range 4 West instead of being in the SE1/4 of the SE1/4 as listed on the permit.

The water use was also changed from the permitted use of domestic and irrigation uses to municipal use. This change will allow more flexibility in how and where the water is used and moved around within the service area or the subdivision boundary.

Another issue that has arisen is the issue of ownership. This permit was filed for in the name of Twin Lakes Investments. From conversations with the homeowner's association, Twin Lakes Investments no longer exists, and they now operate the system. To change the ownership of this permit into the homeowner's name, we will need one of the following processes to be completed:

- 1.) **Assignment of Permit** -- Twin Lakes Investments or one of their members will need to assign this permit over to the homeowner association. I have attached the form with this letter. Please note that the form needs notarized and requires a \$25.00 fee.
- 2.) **Change of Ownership** -- For this process to be completed, we will need a document for Twin Lakes Investments that legally conveyed the water right to the homeowner's association. **This document needs to specifically state that water right 96-9000 has been conveyed to homeowner's association.** Conveyance of the well and the water system are not adequate legal documentation to convey the water right ownership to the homeowner association. I have enclosed the "Notice of Change of Ownership" form with this letter. This document also requires a \$25.00 fee and a copy of the conveyance document described above.

At this point, the only entity authorized to sign the assignment of permit is Twin Lakes Investments. If they no longer exist, the homeowner's association can sign the amendment if they supply the assignment of permit or change of ownership documentation that will put the water right into their names. It is essential that the assignment of permit is signed by the legal owner of the permit, so we will need the ownership documentation for the homeowner's association to sign the amendment.

The enclosed Applications for Amendment form depict the elements of the water rights as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing. Typically we request that this form be returned within 14 days, but due to the ownership issues, I have been given authority to allow you 30 days to return the amendment to our office.

If you have any questions, please contact me.

Sincerely,



Daniel A. Nelson
Staff Hydrologist
Planning Bureau
Idaho Department of Water Resources
Telephone # (208) 287-4856
Email – dan.nelson@idwr.idaho.gov

Enclosure(s)

Amendment of Permit and Map
Assignment of Permit form
Change of Ownership form

Cc

Edgemere Homeowner's Association

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 96-09000

Date of Priority: October 01, 1998

Maximum Diversion Rate: 0.13 CFS

Maximum Diversion Volume: 28.8 AF

Comes now TWIN LAKES INVESTMENTS
PO BOX 920

RATHDRUM ID 83858-0920 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 96-09000, and requests that the permit be changed as follows:

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	0.13 CFS	28.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW1/4SE1/4 Sec. 9, Twp 54N, Rge 04W, B.M. BONNER County

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 96-09000

.....
FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 96-09000 with the following:

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
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. Point of diversion is located within Lot 21 of Edgemere Three Phase 1 Subdivision.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
5. Place of use is within the area served by the public water supply system of Edgemere Subdivision Homeowner's Association. The place of use is generally located within the SE Quarter of Section 9, Township 54 North, Range 4 West.

Witness my hand this _____ day of _____, 2014.

GARY SPACKMAN
Director

Attachment For Amendment To Water Right License

96-9000

This map depicts the MUNICIPAL 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.

04W



- Point of Diversion
- Water Service Area Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.1 0.2 0.4 Miles



MEMORANDUM

TO: File 96-9000

FROM: Daniel Nelson – Staff Hydrologist

DATE: December 26, 2014

SUBJECT: Licensing Review for 96-9000

This is the licensing review of the field exam submitted by Wayne Baldwin formerly in our northern region office. The field exam was done in 2004. The system associated with this permit allowed water to be diverted directly from a well to be diverted from a single well to a 24 lot subdivision. This permit was originally permitted for domestic use for 24 lots and irrigation of 12 acres or ½ acre per lot. The field exam has some issues that need to be addressed to prior to licensing of the permit.

Beneficial Use:

This permit was originally permitted for domestic use for a 24 lot subdivision and 12 acres of irrigation or approximately ½ acre per lot. Mr. Baldwin found the entire 24 lots were stubbed in, and that not all of the lots had been developed. Current aerial photos suggest that there are still lots in the subdivision that haven't been developed.

The field examiner recommended that the permit be amended to change the use to municipal use. He spoke with their representative at the time, and confirmed that they were willing to amend the permit. I spoke with the homeowner's association, and they are still willing to amend the permit. The permit will be licensed with a diversion rate and volume, but it will be listed as a municipal use. This will allow them to adjust the water use on the 24 subdivision lots as needed.

Diversion Rate:

Mr. Baldwin provided a measurement from the owner's flow meter of 60 gpm or 0.13 cfs. I performed a theoretical calculation (see attached sheet), and the 60 gpm measurement does seem reasonable.

The permit allowed a diversion rate of 0.20 cfs for both the domestic and irrigation uses with a total of 0.20 cfs. Administrative Processing Memo allows between 0.20 cfs and 0.25 cfs for in-house use, and 12 acres at 0.02 cfs would allow an additional 0.24 cfs for a total of 0.44 cfs. The measured flow rate is well below the maximum amounts allowed by Administrative Processing Memo 22 and the permit, so we can allow the full amount measured of 0.13 cfs. Whereas we are change the use to municipal use, I am recommending that the permit be limited to 0.13 cfs.

Diversion Volume:

This permit was for domestic use and irrigation of up to 12 acres or approximately ½ acre per home. The entire subdivision was stubbed in at the time of the exam, but not all of the domestic use or irrigation use had been developed nor does it appear as though it has yet to be developed. The permit was filed to allow all 24 lots to be covered by the domestic use, and the irrigation use was set up to allow up to ½ acres per lot or 12 acres of irrigation. The permit appears to have been set up to allow 24 domestic uses as described in 42-111, therefore, I feel it is acceptable to treat these domestic uses as described in Administrative Processing Memo 22. Therefore, I am recommending that a volume of 1.2 af for in-house use and up to a ½ acre of yard irrigation be allowed for each of the 24 lots for a total of 28.8 af.

Points of Diversion:

The permit listed the point of diversion in the SESE quarter of Section 9, Township 54 North, Range 4 West in subdivision lot 24. The field examiner stated that the well was actually located on the line between lots 20 and 21 in the NESE quarter of Section 9, Township 54 North, Range 4 West. A review of the tax lot data shows that the property line between Lots 20 and 21 are actually in the NWSE quarter of Section 9, Township 54 North, Range 4 West.

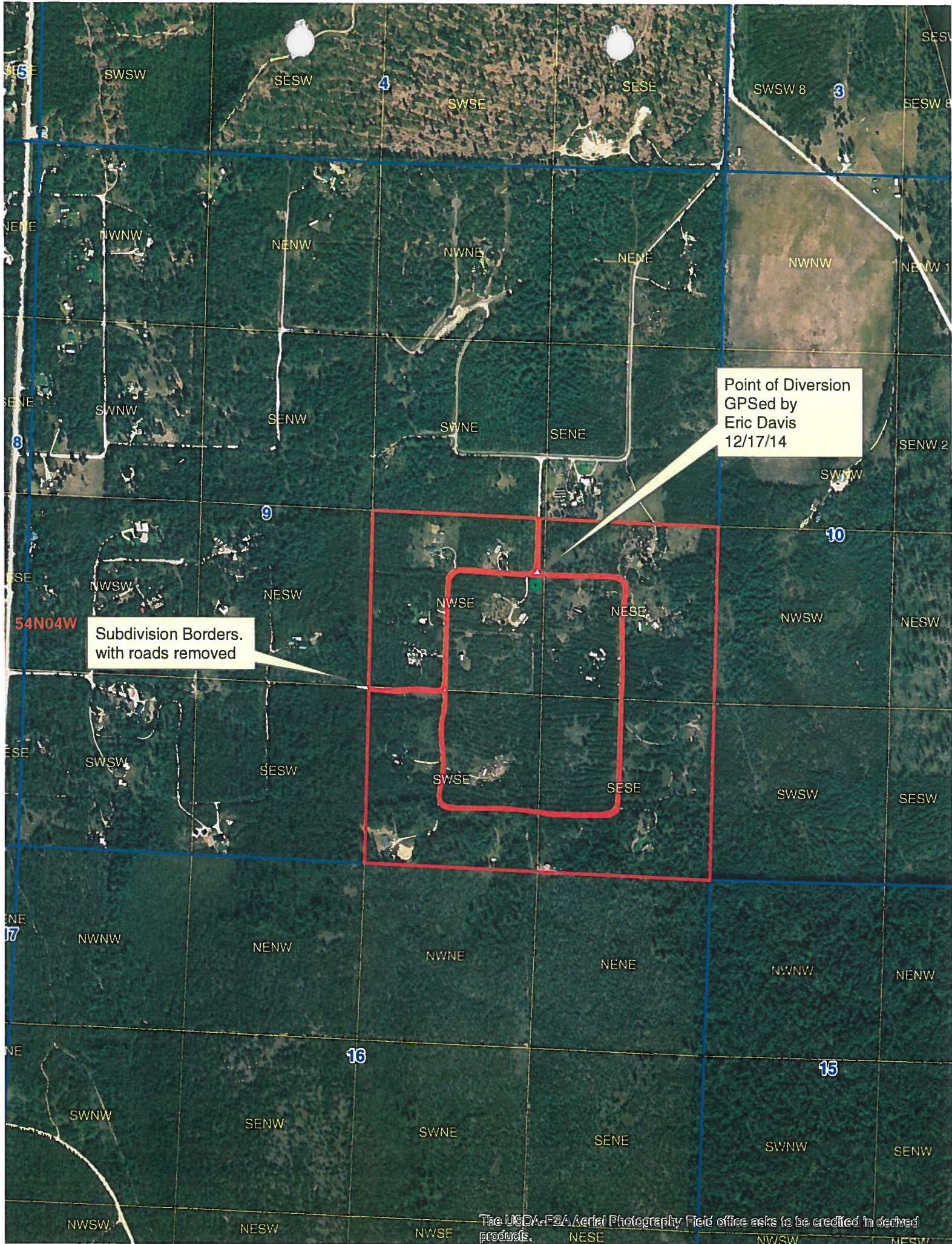
I contacted the northern region office, and requested if someone could go out a GPS the well to ensure the proper location. Eric Davis GPS'ed the well and sent me the coordinates (see email dated 12/1/ 2014). The GPS point collected by Mr. Davis confirms that the well is located in the NWSE quarter of Section 9, Township 54 North, Range 4 West in tax lot 21 of Edgemere Three Phase 1 Subdivision.

Place of Use:

The place of use is located in the SE quarter of Section 9, Township 54 North, Range 4 West. The lots are known as tax lots 1 through 24 Edgemere Three Phase 1 Subdivision

Conditions:

All of the conditions on the permit were removed except for conditions 01M and 004. Conditions X59, 180, and 128 were added to describe the place of use and point of diversion. The place of use is the Edgemere Homeowner's Association service area. There are no overlapping rights, so there will not be any combined limitations.



Point of Diversion
GPSed by
Eric Davis
12/17/14

Subdivision Borders.
with roads removed

54N04W

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 96-9000
 Reviewer: Dan Nelson
 Date of Review: 12/16/2014

P/D No.:	Well #1	Well #2	Well #1 Full Drawdown
PUMP HORSEPOWER	7.5	7.5	7.5
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	185	185	185
DISCHARGE PRESSURE	61.6	71.6	81.6
RATE OF FLOW (cfs)	0.14 63	0.13 59	0.12 56
			0.13 59.35

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes:

The field examiner supplied the pump horsepower. I used the well log to determine the pumping water level by subtracting the location where water was first encountered from the total well depth and dividing by two to find the middle of the available water zone. I then used the standard 40 to 60 psi for in-home uses and added in 21.6 psi (50 feet) to account for the need of the well to be able to push the water uphill to the other side of the subdivision. The field examiner measured 60 gpm from the owner's meter, and I would say that this flow rate is very close to what the pump can accomplished in this system.



State of Idaho
DEPARTMENT OF WATER RESOURCES
 STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
 Governor

C. STEPHEN ALLRED
 Director

Mailing address:
 Statehouse
 Boise, Idaho 83720
 (208) 334-4440

ADMINISTRATOR'S MEMORANDUM

TO: Regional Offices and Water Allocations Section

FROM: Norman C. Young

Norman C. Young

DATE: June 4, 1980

RE: Definition of "Domestic"

The Department's interpretation of "domestic", as defined relative to beneficial use for the establishment of a water right, must be divided into two categories: First, the single household domestic use, and second, the general domestic use.

SINGLE HOUSEHOLD DOMESTIC

Single household domestic use must be accurately defined because many water rights within this category are exempt from recording requirements. The current definition is provided by section 42-230(d), Idaho Code, which states:

"Domestic purposes" is water for household use or livestock and water used for all other purposes including irrigation of up to one half ($\frac{1}{2}$) acre of land in connection with said household where total use is not in excess of thirteen thousand (13,000) gallons per day. For the purposes of the exception in section 42-227, Idaho Code, "domestic purposes" shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments.

All surface and groundwater rights within this category are exempt from the mandatory claim filing requirement. Surface water rights developed for single household domestic use after May 20, 1971, must be represented by an application for permit.

Note that "domestic purposes" is defined as water for household use or livestock, so a stockwater well not connected with a household is considered to be included in the definition. Since range cattle consume about twelve (12) gallons per day per head, about 1000 head can be watered within the 13,000 gallon per day limit of the definition.

TO: Regional Offices and Water Allocations Section
FROM: Norman C. Young
DATE: June 4, 1980
PAGE: 2

An interpretation of the definition must be carefully made when a second hookup is attached to an existing single household domestic system. The resulting two-household system can be considered as either a multiple system or two single household systems, depending on intent. If the system was designed and built for multiple hookups, then it must be considered to be a multiple system and subject to the recording requirement. However, if the system was designed and built for one household, and the second household was added later in time, two distinct single household domestic water rights may have been established from one well.

GENERAL DOMESTIC

"Domestic" has in the past been interpreted to include a variety of uses for multi-household water systems. Henceforth this term should be used to identify only the in-house or culinary aspect for these systems. For example, the water right description for a housing subdivision should identify irrigation, recreation and fire protection in addition to domestic use. In this way acre-foot values can be assigned to each parameter for an accurate volumetric description of the water right.

A reference to section 42-111, Idaho Code, indicates that the heating of dwelling houses comes within the meaning of "domestic purposes". However, since the 1922 court case from which that statement was taken, the interpretation of the domestic use has been narrowed considerably. Heating should be designated as a unique use.

A quantification of the rate of flow necessary for the in-house or culinary use for multi-household systems has been identified in Figure 1, attached. The flow identified on this graph should be used as a guideline in determining and reviewing domestic use rates of flow on applications for permit with more than one hookup. Greater flows can be accepted if justified.

Use .6 AFA when irrigation is separated (per household)
Use 1.2 AFA when " " included (per household)

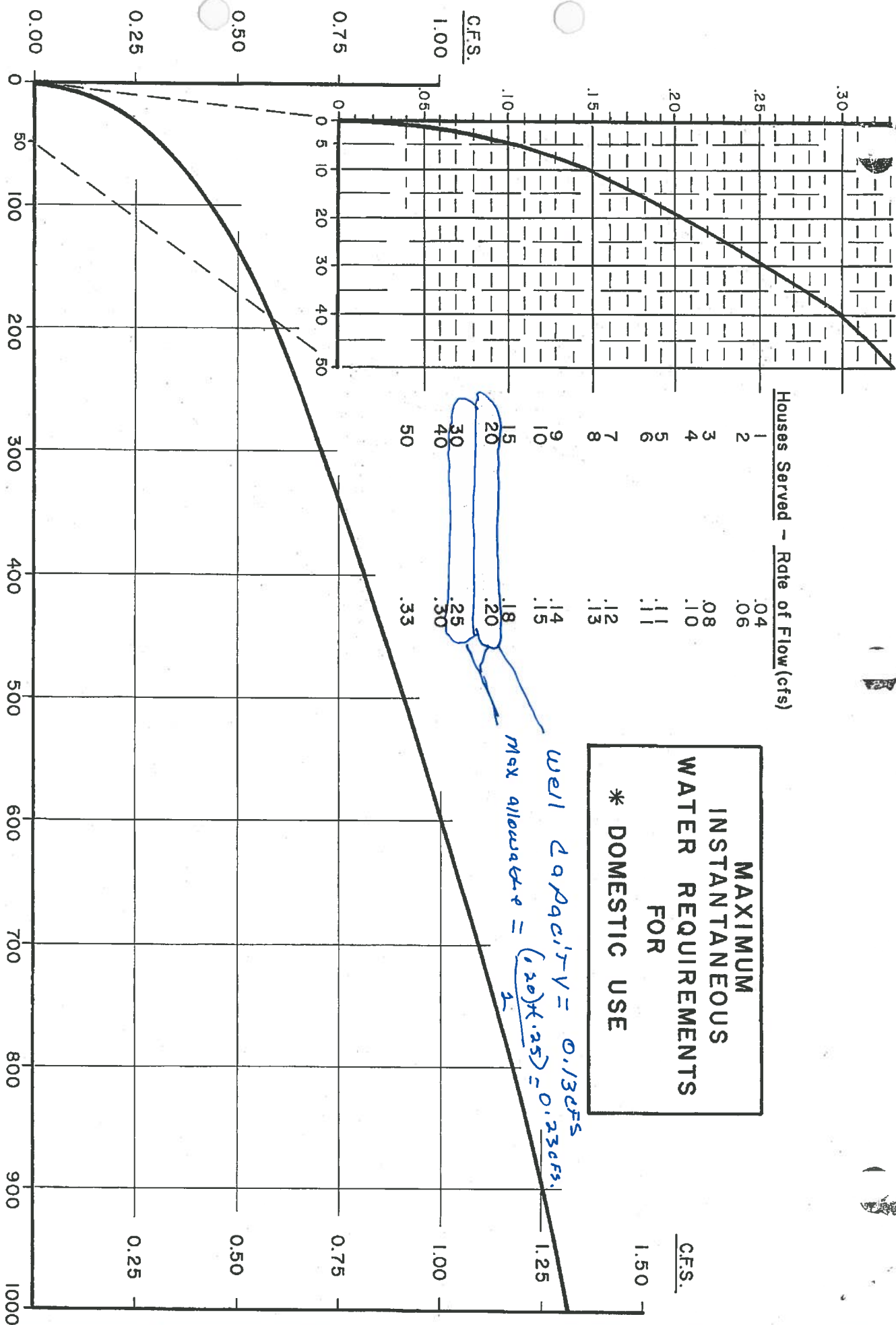


FIG. 1.

PHOTOGRAPHER AND DATE OF PHOTOS ERIC DAVIS 5/23/2013

FILE NUMBER 96-9000



The photo above shows the well and the well house. The photo below shows the well driller's tag for this well. This tag corresponds with the well driller's report used to verify diversion rate.



MEMORANDUM

TO: File 96-9000

FROM: Daniel Nelson – Staff Hydrologist

DATE: December 22, 2014

SUBJECT: Telephone Conversation With Homeowner Association

I received a telephone call Friday, 12-19-2014, concerning the letter that I sent to Twin Lakes Investments and several individuals in Edgemere Subdivision regarding permit 96-9000. The first call I received was from Tanya Armor, who informed me she was the secretary for the homeowner's association. She then had me contact the subdivision president Bob. I didn't write down Bob's last name, only the letter K.

From these conversations, I discovered that Twin Lakes Investments is no longer associated with the subdivision, and may have dissolved after the subdivision was completed. Apparently, Twin Lakes Investments did give the water rights to the Edgemere Homeowner's Association, but no transaction was completed with the Department.

I have told them that I will prepare the amendment and send it to the homeowner's association with ownership change information.

Nelson, Dan

From: Davis, Eric
Sent: Wednesday, December 17, 2014 3:48 PM
To: Nelson, Dan
Subject: 96-9000
Attachments: IMG_0805.JPG; IMG_0806.JPG

N48 02.484 w 116 50.048 Well location for 96-9000

Have a great day

PHOTOGRAPHER AND DATE OF PHOTOS ERIC DAVIS 5/23/2013

FILE NUMBER 96-9000



The photo above shows the well and the well house. The photo below shows the well driller's tag for this well. This tag corresponds with the well driller's report used to verify diversion rate.



MEMORANDUM

TO: File 96-9000

FROM: Daniel Nelson – Staff Hydrologist

DATE: December 22, 2014

SUBJECT: Telephone Conversation With Homeowner Association

I received a telephone call Friday, 12-19-2014, concerning the letter that I sent to Twin Lakes Investments and several individuals in Edgemere Subdivision regarding permit 96-9000. The first call I received was from Tanya Armor, who informed me she was the secretary for the homeowner's association. She then had me contact the subdivision president Bob. I didn't write down Bob's last name, only the letter K.

From these conversations, I discovered that Twin Lakes Investments is no longer associated with the subdivision, and may have dissolved after the subdivision was completed. Apparently, Twin Lakes Investments did give the water rights to the Edgemere Homeowner's Association, but no transaction was completed with the Department.

I have told them that I will prepare the amendment and send it to the homeowner's association with ownership change information.



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 16, 2014

TWIN LAKES INVESTMENTS
OR
EDGEMERE SUBDIVISION HOMEOWNERS
PO BOX 920
RATHDRUM ID 83858

RE: Water Right Permit 96-9000 for the Edgemere Three Phase 1 Subdivision

Ladies and Gentlemen:

I have been asked to complete the licensing for water right permit 96-9000. This permit is for a well that supplies water to the Edgemere Three Phase 1 Subdivision. According to our records, you may or may not have an interest in this water right.

I have been attempting to contact the owner/operator of the subdivision water system, or the president of the homeowner association that operates the water system. I have been unable to contact the individuals listed in our files as the operators of this system. It appears from current county records, you may have an interest in this water right. If you still live in this subdivision and use the common well, please contact me as soon as possible to give me the individual that is responsible for operating the water system, and maintaining this water right.

We are very close to issuing the water right license for this well, so I am hoping I can find someone to help me complete the process. Thank you for your time and effort. I have enclosed a map for your information.

Respectfully,

Daniel Nelson

Staff Hydrologist

Idaho Department of Water Resources

Telephone (208) 287-4856

Fax (208) 287-6700 (attn: Dan Nelson)

Enclosures

CC - SCOTT & Erika Gibbons
JASON & TONYA ARMOR.