

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-31859

Priority: April 06, 2004

Maximum Diversion Rate: 2.20 CFS

It is hereby certified that LOCHSA FALLS SUBDIVISION HOA INC
5537 GLENWOOD
GARDEN CITY ID 83714 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 06, 2004; and has
submitted Proof of Beneficial Use on October 28, 2009. An examination indicates that the works have a
diversion capacity of 2.9 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

2.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW1/4NE1/4	Sec. 26, Twp 04N, Rge 01W, B.M.	ADA County
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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 01W 26	X	X	X	X				X					X	X			

CONDITIONS OF APPROVAL

1. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the subdivision lots authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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5. 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 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 421 af at the field headgate for the lands above.
8. Rights 63-2656B, 63-31859, and 63-31861 when combined shall not exceed a total diversion rate of 2.9 cfs.
9. Place of use is located within Lots 2-5, Blk. 4; Lots 1-2, Blk. 5; Lots 1-7, 9-17, Blk. 6; Lots 1-2, 4-13, 15-25, Blk. 7; Lots 1-7, 9-16, Blk. 8; Lots 1-5, Blk. 9; Lot 1, Blk. 10; Lots 1-11, Blk. 11; and Lot 1, Blk. 12 (Phase 1); Lots 2-15, Blk. 1; Lots 2-12, Blk. 3; Lots 2-7, 9-25, Blk. 13; Lot 1, Blk. 14 (Phase 2); Lots 2-11, Blk. 10; Lots 12-19, Blk. 11; Lots 2-6, 8-12, Blk. 12; Lots 2-5, Blk. 15; Lots 1-16, Blk. 16; Lots 1-5, 7-12, Blk. 17; Lots 1-8, Blk. 18 (Phase 3); Lots 3-12, Blk. 5; Lots 6-16, Blk. 9; Lots 12-18, Blk. 10; Lots 1-13, 15-16, Blk. 20; Lots 1-5, Blk. 21; Lot 1, Blk. 22 (Phase 4); Lot 19, Blk. 10; Lots 9-22, Blk. 18; Lot 17, Blk. 20; Lots 6-10, Blk. 21; Lots 1-6, 8-9, Blk. 23 (Phase 5); Lots 16-22, 24-30, Blk. 1; Lot 2, Blk. 14; Lots 1-9, Blk. 24; Lots 1-3, Blk. 25; Lots 1-16, Blk. 26 (Phase 6); Lots 6-10, 12-16, 18-21, Blk. 4; Lots 13-22, Blk. 5; Lots 26-40, Blk. 13; Lots 3-16, Blk. 14; Lots 2, 5-9, Blk. 22; Lots 4-8, Blk. 25; Lots 19-24, Blk. 26; Lots 2-5, Blk. 27 (Phase 7); Lots 9-11, 13-17, Blk. 25; Lots 6-14, 16-20, Blk. 27; Lots 1-12, 14-23, Blk. 37; Lots 1-9, Blk. 38 (Phase 8); Lots 31-41, 43-45, 47-48, 50-51, Blk. 1; Lots 12-32, Blk. 24; Lots 18-20, Blk. 25; Lots 1-6, Blk. 40; Lots 1-2, Blk. 41; Lots 1-4, Blk. 42 (Phase 9); Lot 2, Blk. 43; Lots 1-9, Blk. 44; Lots 1-9, Blk. 45; Lot 1, Blk. 46; Lots 1-5, Blk. 47; Lot 1, Blk. 48 (Phase 10); plus 164 unplatted lots; all within Lochsa Falls Subdivision.
10. Domestic use is for 686 homes, for external use only.
11. Water bearing zone to be appropriated is from 75 to 500 feet.

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 and sealed this 11th day of March, 2010.

for


GARY SPACKMAN
Interim Director