Form 42-217 Rev. 6/22

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NOV 01 2024
WATER RESOURCES
WESTERN REGION

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NOV 05 2024
DEPT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee $	50.00
Receipt No.	W052255
Receipted By	MB
Date Receipted	11/1/24

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 65-24195 Name of Permit Holder(s) TERRACE LAKES RECREATION RANCH INC

Telephone No. (208) 462-3250 Email resortcabins@gmail.com

Mailing Address 101 HOLIDAY DR City GARDEN VALLEY State ID Zip 83622-5031

2. Source of Water GROUND WATER If Ground Water (well), Date Drilled mo. _____ / yr. _____

Drilling Permit/Tag No. See Attached Drilling Company's Name See Attached

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) _____ Irrigation (No. acres) _____ Stockwater (No. and stock type) _____

Other Commercial use is for 1 motel, 2 cabins, 1 pool with restrooms and showers, 2 golf course restroom and drinking fountain locations, and 1 lodge.

4. Total diversion rate or volume (storage only) for which proof is submitted 0.070 cfs OR _____ af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

See Attached Narrative

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☑	Ground water level data, pumping information, or other diversion data
☐	☐	☑	Mitigation plan
☐	☐	☑	Lockable controlling works
☐	☐	☑	Measuring device
☐	☐	☑	Fish screen
☐	☐	☑	Other requirements of the water right permit _____
	☐	☑	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $50.00 or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Ilene Johnson Telephone No. 208-577-1557 Email resortcabins@gmail.com

Mailing Address 101 HOLIDAY DR City GARDEN VALLEY State ID Zip 83622-5031

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Ilene Johnson — ILENE JOHNSON SEC/TREAS TERR, INC — 11/1/24

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

*Attach power of attorney if completing on behalf of permit holder.

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DEC 04 2024

0005629538

STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only
-FILED-
File #: 0005629538
Date Filed: 3/4/2024 9:03:20 AM

Entity Name and Mailing Address:

Entity Name:	TERRACE LAKES RECREATION RANCH, INC.
The file number of this entity on the records of the Idaho Secretary of State is:	0000121593
Address	101 HOLIDAY DR GARDEN VALLEY, ID 83622-5031

Entity Details:

Entity Status	Active-Good Standing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	C36337

The registered agent on record is:

Registered Agent	ILENE JOHNSON Registered Agent Physical Address 7147 CASCADE DR BOISE, ID 83704 Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
VALERIE J. WARDLE	Vice President	8 HAPPY HOLLOW GARDEN VALLEY, ID 83622
ILENE JOHNSON	Secretary	7147 CASCADE DR. BOISE, ID 83704
LONNIE E BRAMON	President	8 RAINBOW RIDGE GARDEN VALLEY, ID 83622

The annual report must be signed by an authorized signer of the entity.
Job Title: Attorney

Terri R Pickens — Sign Here
03/04/2024 — Date

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DEC 04 2024

B0887-2733 03/04/2024 9:03 AM Received by Office of the Idaho Secretary of State

Page 1 of 1

NARRATIVE FOR STATEMENT OF COMPLETION FOR SUBMITTING PROOF OF BENEFICIAL USE for 65-24195

Water is delivered via the delivery system of the Terrace Lakes Water Company as described in the *Stipulation to Resolve Protest* on file with IDWR for this permit. Note that agreement requires flow meters at the points of delivery from the Terrace Lakes Water Company system to the Terrace Lakes Recreation Ranch places of use. Please contact Ilene Johnson for records of those deliveries and a more complete description of the delivery system if needed. Similarly, the wells used to divert the water, and dates of construction requested in Question #2 are available in the IDWR records related to the Terrace Lakes Water Company water rights.

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DEC 04 2024

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 65-24195

Priority: November 29, 2022 **Maximum Diversion Rate:** 0.07 CFS

This is to certify that

TERRACE LAKES RECREATION RANCH INC 101 HOLIDAY DR GARDEN VALLEY ID 83622-5031

has applied for a permit to appropriate water from:

Source : GROUND WATER

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

Beneficial Use	Period of Use	Rate of Diversion
COMMERCIAL	01/01 to 12/31	0.07 CFS

Location of Point(s) of Diversion

GROUND WATER	L4 (NW¼ NW¼),	Sec. 3,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ NE¼,	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	SW¼ SE¼,	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L4 (SE¼ SE¼),	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L1 (NE¼ NE¼),	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ NW¼,	Sec. 34,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ NW¼,	Sec. 34,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE¼ SW¼,	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L4 (NW¼ NW¼),	Sec. 3,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	L4 (NW¼ NW¼),	Sec. 4,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ SE¼,	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L3 (NE¼ SE¼),	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE¼ SW¼,	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE 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	
10N	04E	33		X		X L2										X	X		

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2024.**
2. Subject to all prior water rights.
3. Commercial use is for 1 motel, 2 cabins, 1 pool with restrooms and showers, 2 golf course restroom and drinking fountain locations, and 1 lodge.
4. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 65-24195

Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

5. This right does not grant any right-of-way or easement across the land of another.

6. 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.

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

Signed this 18th day of October, 2023.

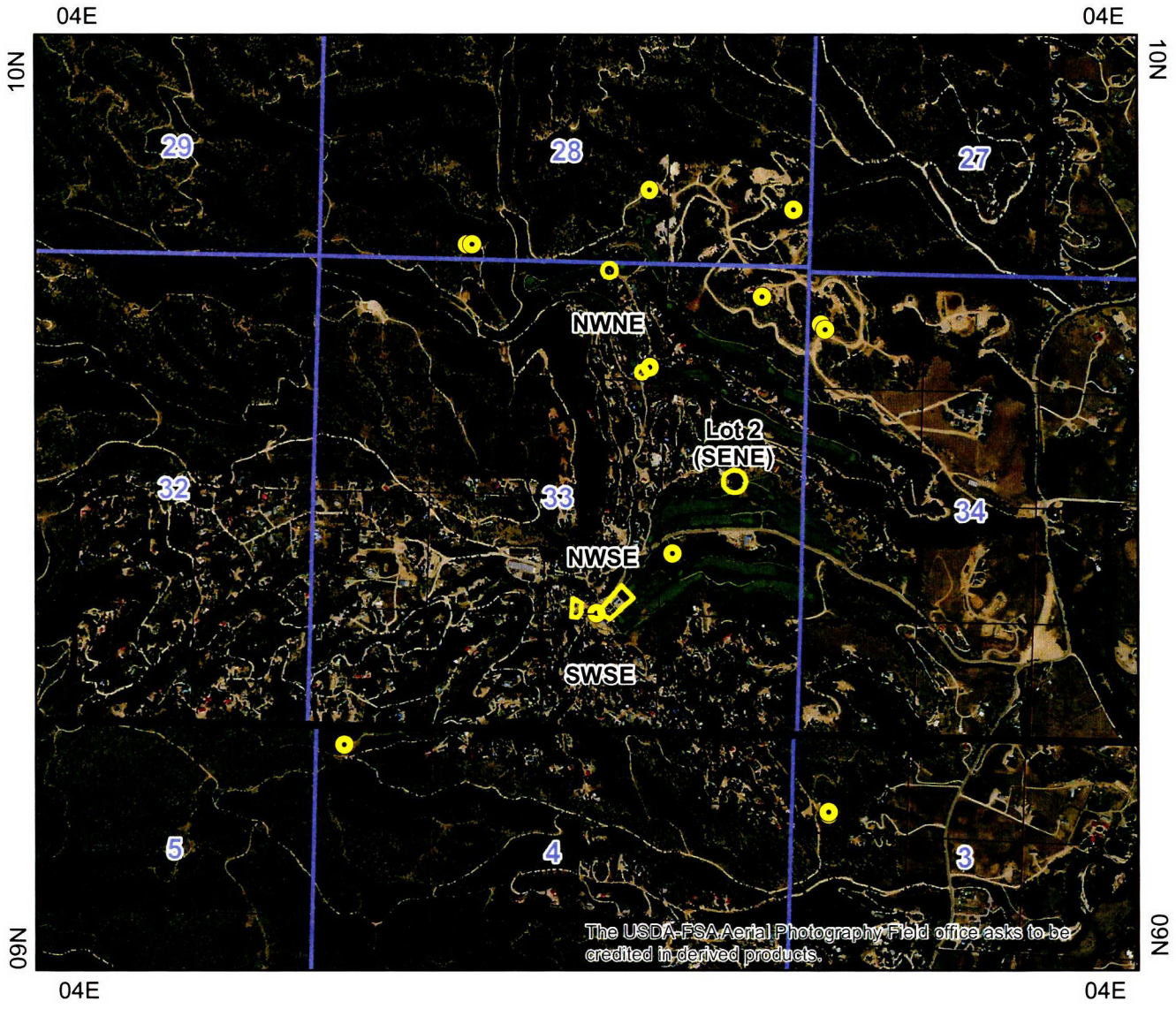
NICK MILLER
Western Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

65-24195

This map depicts the COMMERCIAL 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 0.225 0.45 0.9 Miles

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

N

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WATER RESOURCES
WESTERN REGION

Print Single Sided Only

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 65-24195

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Terrace Lakes Recreation Ranch, Inc. Phone 208-462-3250

Name connector (check one): ■ and ■ or ■ and/or

Mailing address 101 Holiday Drive City Garden Valley

State Idaho ZIP 83622 Email resortcabins@gmail.com

2. Name of representative, if any Sawtooth Law Phone 208-629-7447

Mailing address 1101 W. River Street, Suite 110 City Boise

State Idaho ZIP 83702 Email

a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
■ Send original correspondence to the applicant and copies to the representative.

b. ■ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Ground water which is a tributary of N/A

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
							See Tech Memo		

5. Water will be used for the following purposes:

Amount 0.07 cfs (cfs or acre-feet per year) for Commercial purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)

6. Total quantity to be appropriated is (a) 0.07 cubic feet per second (cfs) and/or (b) 3.88 acre-feet per year (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source.
Water will be diverted and supplied by Terrace Lakes Water Company, See Tech Memo.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ■ No

c. Proposed well diameter is Existing, See Tech Memo inches; proposed depth of well is Existing, See Tech Memo feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ■ No

e. If well is already drilled, when? See Tech Memo; drilling firm See Tech Memo; well was drilled for (well owner) See Tech Memo; Drilling Permit No. See Tech Memo.

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DEC 30 2022

For Department Use

Received by CS Date 11/29/2022 Time 12:45 Preliminary check by AB

Fee $ 100.00 Receipted by CS Receipt No. W050907 Date 11/29/2022

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households _____
   e. Other; describe fully. See Tech Memo

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							See	Tech	Memo										

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

11. a. Who owns the property at the point of diversion? Terrace Lakes Recreation Ranch, leased by Terrace Lakes Water Company
    b. Who owns the land to be irrigated or place of use? Terrace Lakes Recreation Ranch
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. See Tech Memo

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

TERRACE LAKES RECREATION RANCH, INC.
Signature of Applicant

Glenn Johnson, Secretary
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

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DEC 30 2022

Mountain WATERWORKS

TECHNICAL MEMORANDUM

DATE: November 18, 2022
TO: Idaho Department of Water Resources
FROM: Mountain Waterworks, Inc.
SUBJECT: Terrace Lakes Recreation Ranch, Inc. Water Right Application

DESCRIPTION AND BACKGROUND

Terrace Lakes Recreation Ranch, Inc. (TLRR) currently has its drinking water supplied by the Terrace Lakes Water Company (TLWC). However, TLWC's water rights have designated beneficial uses of domestic, irrigation, and fire protection. The purpose of this application is to secure water rights for commercial use for TLRR, including a clubhouse, swimming pool, pro shop, motel, cabins, and restroom facilities on the golf course. The water right will be diverted and distributed by TLWC and will have the same Points of Diversion (POD), as TLRR will continue to be served by TLWC. A map of the POD can be found in **Attachment 1.**

Table 1. Water Right Summary of Terrace Lakes Water Company (TLWC)

Water Right No.	Source	Beneficial Use	Diversion Rate (cfs)	Annual Diversion Volume (acre-ft)
65-12985	Groundwater	Domestic	0.2	145.0
		Irrigation	0.2	90.3
		Maximum	**0.2**	**145.0**
65-13457	Groundwater	Domestic	0.07	50.7
		Maximum	**0.07**	**50.7**
65-23085	Groundwater	Domestic	0.32	27.0
		Irrigation	0.4	91.0
		Fire Protection	0.47	-
		Maximum	**0.47**	**118.0**

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Mountain
WATERWORKS

APPLICATION RESPONSES

Application Item 4:

Table 2. Points of Diversion for TLWC

Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local Name or Tag #
L4	NW	NW	-	3	09N	04E	BOISE	GROUND WATER	WELL No. 7
L4	NW	NW	-	4	0N	04E	BOISE	GROUND WATER	WELL No. 1
-	NW	SE	-	33	10N	04E	BOISE	GROUND WATER	WELL No. 2
L4	NW	NW	-	3	09N	04E	BOISE	GROUND WATER	WELL No. 3
-	NW	NE	-	33	10N	04E	BOISE	GROUND WATER	WELL No. 4
L3	NE	SE	-	33	10N	04E	BOISE	GROUND WATER	WELL No. 5
-	SE	SW	-	28	10N	04E	BOISE	GROUND WATER	WELL No. 6
-	SE	SW	-	28	10N	04E	BOISE	GROUND WATER	-
-	SW	SE	-	28	10N	04E	BOISE	GROUND WATER	-
-	SE	SE	-	28	10N	04E	BOISE	GROUND WATER	-
L1	NE	NE	-	33	10N	04E	BOISE	GROUND WATER	-
-	NW	NW	-	34	10N	04E	BOISE	GROUND WATER	-
-	NW	NW	-	34	10N	04E	BOISE	GROUND WATER	-

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Application Item 7:

The current water system consists of four wells with a fifth well currently under construction, see **Table 3**, two reservoirs and a distribution system. The distribution system was constructed in multiple phases and is a mix of pipe materials and diameters.

Table 3. Existing Well Summary

Well No.	Dia.	Depth	Year Drilled	Drilling Firm	Well Owner	Drilling Permit No.	Well Tag No.
3	8	400	2006	Rauch Drilling	TLWC	895093 - 840479	D00 46574
4	10	415	2005	Rauch Drilling	TLWC		D00 41625
5	10	460	2006	Rauch Drilling	TLWC		D00 41630
6	10	245	2006	Rauch Drilling	TLWC		D00 46843
7	12	See Note	2022	Stevens & Sons Drilling	TLWC	11/22 Currently under development	

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DEC 30 2022

Application Item 8:

The proposed uses of this water right revolve around the TLRR clubhouse facility and golf course restrooms. The clubhouse facility includes a pool, several lodging options, restaurant, lounge, and pro shop. Demands associated with these uses are broken down in **Table 4**.

Table 4. Water Right Demands

Commercial Water Use Projections			
Clubhouse Facility	**gpd/Patron**	**Patrons**	**gpd**
Restaurant w/restroom	8	100	800
Attached bar/lounge	2	100	200
Pro-shop (2 Employees)	N/A	N/A	400
Swimming Pool	10	50	500
Lodging	**gpd/Bed Space**	**Bed Space**	**gpd**
Motel (7 rooms)	60	14	840
Cabins (2)	60	4	240
Lodging	**gpd/Bed Space**	**Bed Space**	**gpd**
Bathroom 1	5	60	300
Bathroom 2	5	60	300
		Total (gpd)	**3580**
		Total (cfs)	**0.07**
		Total (ac-ft/year)	**4.01**

Application Item 9:

Table 5. Point of Use Summary

Twp	Rge	Sec	NE				NW				SW				SE				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	4E	28															X	X	80
		33	X	X	X	X					X			X	X	X	X	X	400
		34					X	X	X			X							160
9N	4E	3						X	X										80
		4	X	X	X	X	X	X											240
																		TOTAL	960

Note:
All commercial use is within Sections 33 and 34.

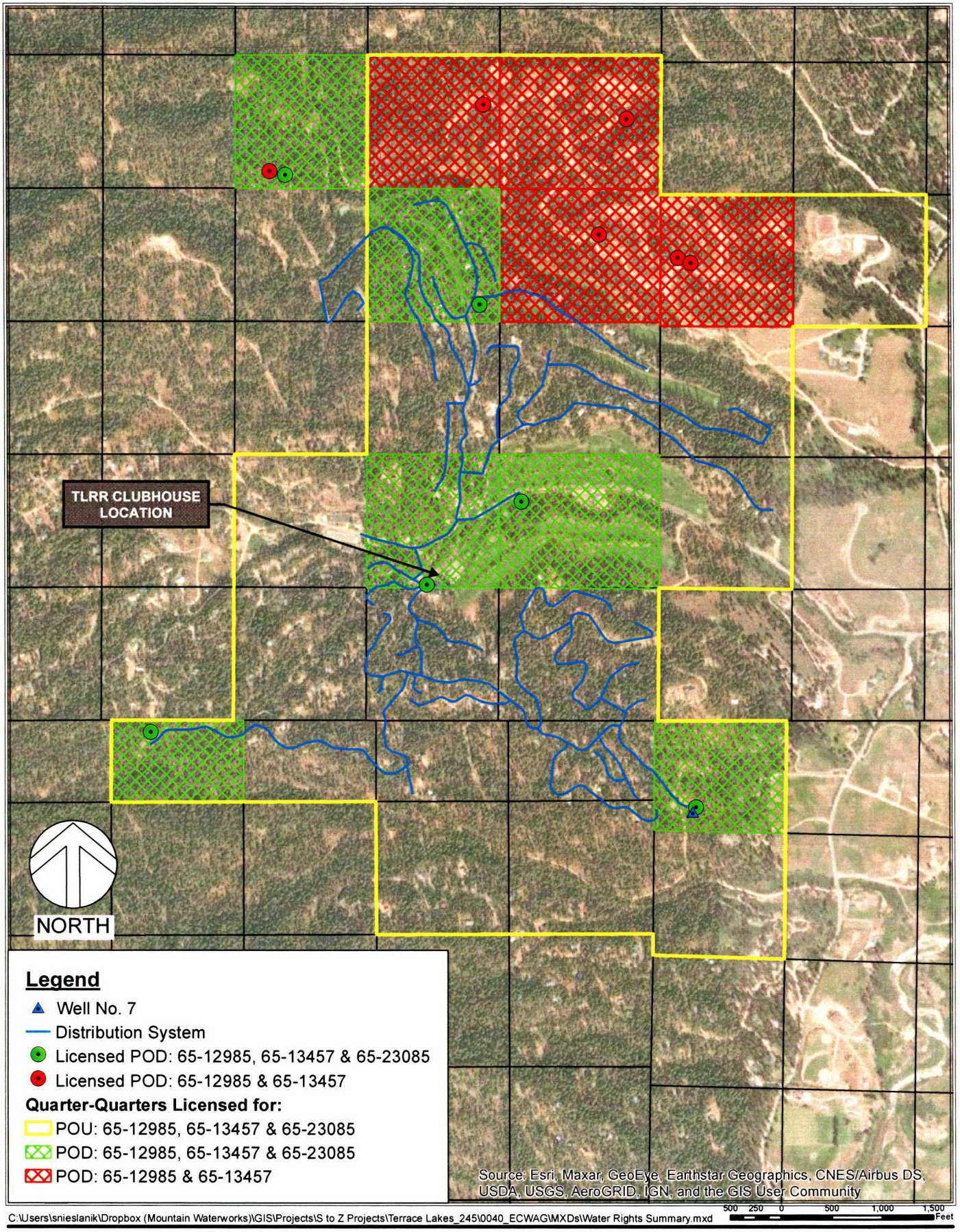
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Mountain
WATERWORKS

ATTACHMENT 1

Water Right Summary Maps

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DEC 30 2022



C:\Users\snieslanik\Dropbox (Mountain Waterworks)\GIS\Projects\S to Z Projects\Terrace Lakes_245\0040_ECWAG\MXDs\Water Rights Summary.mxd

Mountain WATERWORKS

ATTACHMENT 1: WATER RIGHT SUMMARY MAP
WATER RIGHT APPLICATION
TERRACE LAKES RECREATION RANCH, INC.

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DEC 30 2022

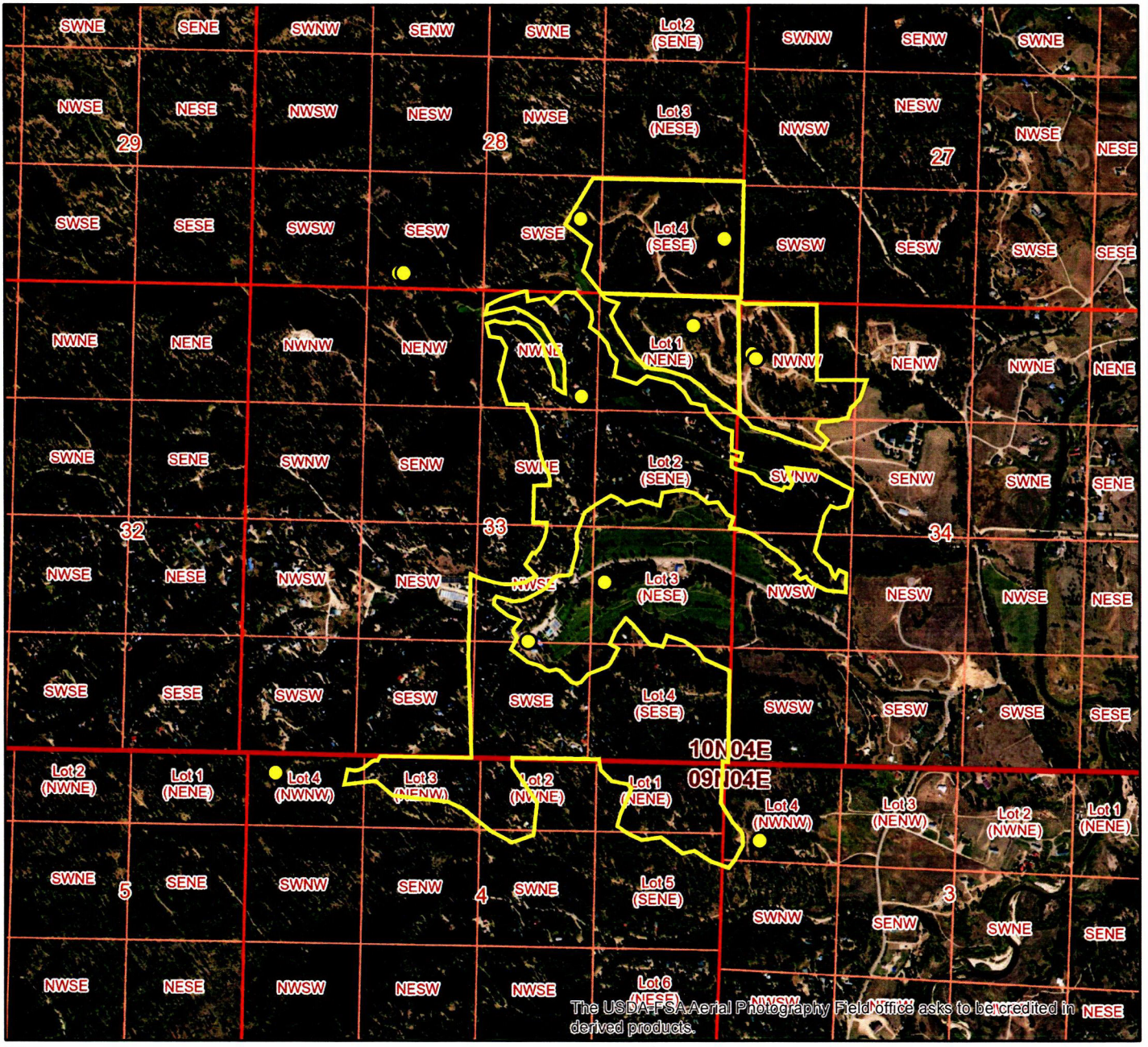
State of Idaho
Department of Water Resources

Water Right

65-13457

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0 0.1 0.2 0.4 0.6 0.8
Miles

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

N

Date created: 11/21/2022

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DEC 30 2022

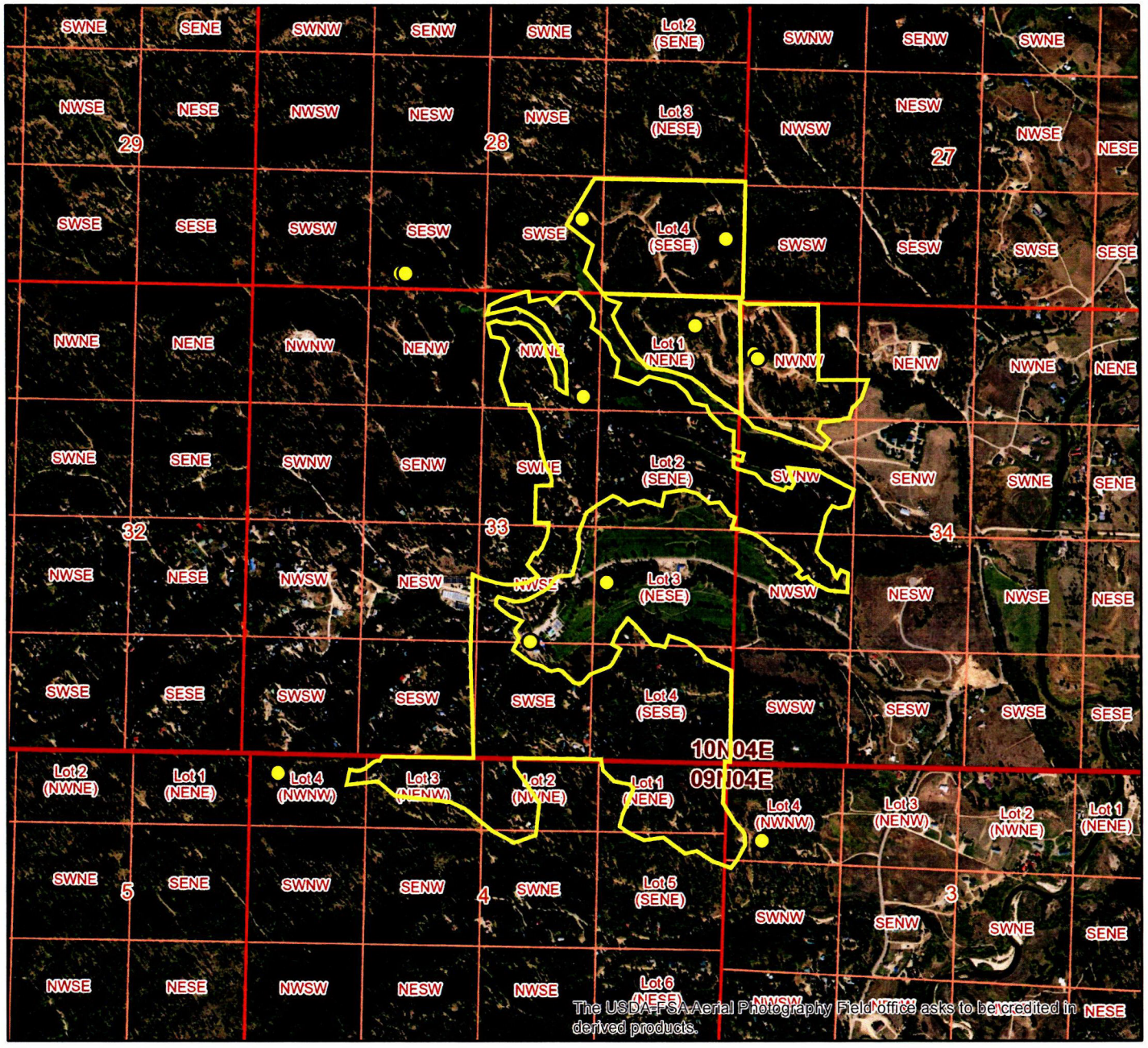
State of Idaho
Department of Water Resources

Water Right

65-12985

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 11/21/2022

SCANNED
DEC 30 2022

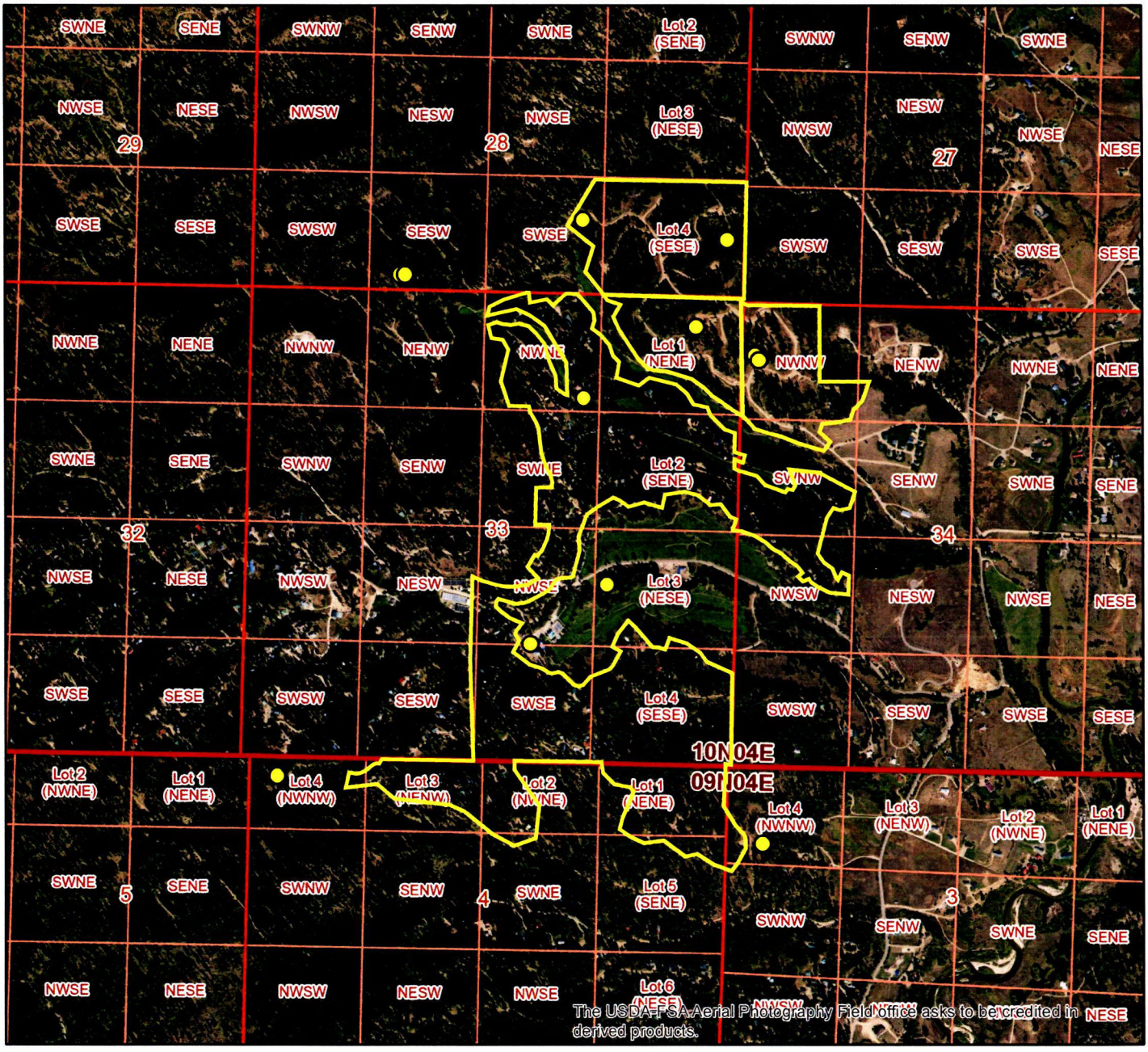
State of Idaho
Department of Water Resources

Water Right

65-12985

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 11/21/2022

SCANNED
DEC 30 2022

Mountain
WATERWORKS

ATTACHMENT 2

Idaho Department of Water Resources-Typical Uses Guidance Document

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DEC 30 2022

APPENDIX IV

TYPICAL AMOUNTS OF WATER FOR TYPICAL USES OF WATER

DOMESTIC

The following table shows diversion rates based on number of households served. The figure for one household includes domestic stockwater and irrigation of up to 1/2 acre of land. The figures for multiple households do not, and any water for irrigation or stock watering in connection therewith should be claimed in addition to the domestic use. The following table was prepared based upon the graph set forth at the end of this appendix.

Households Served	C.F.S.
1	0.04
2	0.06
3	0.08
4	0.10
5-6	0.11
7	0.12
8	0.13
9	0.14
10	0.15
15	0.18
20	0.20
30	0.25
40	0.30
50	0.33

IRRIGATION

0.02 c.f.s. per acre (See Idaho Code § 42-202.)

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DEC 30 2022

APPENDIX IV (cont.)

STOCK WATERING

The following table shows use in gallons per day.

Type	Gallons per day per animal*
Cattle (other then dairy)	12
Dairy cattle	35
Horse	12
Mule	12
Hog	4
Goat	2
Sheep	2
Chickens (per 100)	5-10
Turkeys (per 100)	10-18

The following table shows the diversion rate for cattle (other than dairy) and dairy cattle.

No. of Head	C.F.S. Cattle	C.F.S. Dairy Cattle
0 - 25	0.02	0.02
26 - 50	0.02	0.04
51 - 100	0.03	0.07
101 - 200	0.05	0.13
201 - 300	0.07	0.20
301 - 400	0.09	0.26
401 - 500	0.12	0.33
501 - 600	0.14	0.39
601 - 700	0.16	0.46
701 - 800	0.19	0.52
801 - 900	0.20	0.58
901 - 1000	0.23	0.65

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DEC 30 2022

APPENDIX IV (cont.)

OTHER USES	Gallons per day*
Camps:	
Construction, semipermanent (per worker)	50
Day, with no meals served (per camper)	15
Luxury (per camper)	100-150
Resorts, day and night, with limited plumbing (per camper)	50
Tourist with central bath and toilet facilities (per person)	35
Picnic grounds:	
With bathhouses, showers and flush toilets (per person)	20
With toilet facilties only	10
Parks:	
Overnight with flush toilets (per camper)	25
Trailers with individual bath units, no sewer connection (per trailer)	25
Trailers with individual bath units, connected to sewer (per person)	50
Highway rest area (per person)	5
Hotel - with private bath (two persons per room)	60
without private bath (per person)	50
Motel - with bath and kitchenette (per bed space)	50
with bath (per bed space)	40
Boardinghouse (per resident)	50
- additional use for nonresident boarders (per person)	10
Roominghouse (per resident)	60
Restaurants:	
With toilet facilities (per patron)	7-10
Without toilet facilities (per patron)	2 1/2-3
With bar/lounge (additional quantity per patron)	2
Schools:	
Boarding (per student)	75-100
Day with cafeteria, gym and showers (per student)	25
Day with cafeteria, without gym and showers (per student)	20
Day without cafeteria, gym or showers (per student)	15
Hospitals (per bed)	250-400
Other Institutions (per person)	75-125
Airports (per passenger)	3-5
Churches (per person)	5
Laundries, self-service (per customer)	50
Service stations (per vehicle)	10
Stores (per restroom)	400
Swimming pools (per swimmer)	10
Theatres - drive in (per car space)	5
- movie (per seat)	5

SCANNED
DEC 30 2022

APPENDIX IV (cont.)

*CONVERSION OF GALLONS PER DAY TO C.F.S.

Generally, small water systems are designed with a maximum rate of flow which can produce the full peak daily requirement in two hour times. To convert gallons used per day to c.f.s. use the formula in the following example:

1,000 head of cattle, at 12 gallons per day per head, use 12,000 gallons per day.

The rate of diversion necessary to produce 12,000 gallons in a 2 hour period is:

$$\frac{\text{12,000 gallons}}{\text{2 hrs x 60 min/hr x 450 gpm/cfs}} = \text{0.23 cfs}$$

SCANNED
DEC 30 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

October 18, 2023

TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY ID 83622-5031

RE: Permit No. 65-24195

Permit Approval Notice

Dear Permit Holder(s):

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 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.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 605-4621.

Sincerely,

for Nick Miller
Western Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2023, I served a true and correct copy of Permit to Appropriate Water No. 65-24195 by U.S. Mail, postage prepaid, to the following:

TERRACE LAKES RECREATION RANCH INC (Current Owner)
101 HOLIDAY DR
GARDEN VALLEY ID 83622-5031

S. BRYCE FARRIS (Attorney for Terrace Lakes Recreation Ranch Inc)
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
BOISE ID 83702-7067

ATTN: DENNIS LARGENT
TERRACE LAKES WATER CO (Protestant)
PO BOX 141
GARDEN VALLEY ID 83622-0141

MURRAY D. FELDMAN (Attorney for Terrace Lakes Water Co)
HOLLAND & HART LLP
PO BOX 2527
BOISE ID 83701-2527

Lynne Evans
Administrative Assistant I

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.

Miller, Nick

From: Miller, Nick
Sent: Monday, October 02, 2023 3:49 PM
To: Bryce Farris (bryce@sawtoothlaw.com); Murray Feldman
Cc: Resortcabins@gmail.com; Dennis Largent
Subject: Conditional Withdrawal of Protest 65-24195 (Terrace Lakes Recreational Ranch)
Attachments: 10022023_TLRR_Draft.pdf

Please see the attached letter regarding this matter.

Nick Miller
Manager, IDWR Western Region

scanned

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

October 2, 2023

TERRACE LAKES RECREATION RANCH INC
c/o S. BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
BOISE, ID 83702-7067
VIA Email to: bryce@sawtoothlaw.com

TERRACE LAKES WATER CO
c/o MURRAY D. FELDMAN
HOLLAND & HART LLP
PO BOX 2527
BOISE, ID 83701-2527
VIA Email to: mfeldman@hollandhart.com

RE: Application for Permit 65-24195 (Terrace Lakes Recreation Ranch Inc)

Dear Parties:

The Department of Water Resources acknowledges receipt on September 21, 2023, of *Stipulation to Resolve Protest* ("Stipulation") in the above-referenced matter. The Stipulation resolves the protest filed against the application by Terrace Lakes Water Company if approval of the permit application is conditioned as provided in the Stipulation.

In any conditional withdrawal, the Department must review the agreement to ensure the conditions to be included in an approval are acceptable. Further, the Department may substitute a standard condition of the Department with essentially the same language and intent, or it may modify the conditions as written to fit the approval format, reduce ambiguity, or to otherwise prevent conflicting interpretations. The Stipulation includes three components that are to be addressed by the Department as conditions on the face of an approval as well as a water delivery agreement that is the responsibility of the parties to accomplish and enforce.

The enclosed draft permit approval incorporates the Department's standard conditions, as well as conditions pursuant to the Stipulation. The conditions proposed in the Stipulation are referenced below, along with some discussion of any changes the Department has made to the proposed language.

- Condition A clarifies that language used in the Technical Memorandum submitted with the application is modified by the Stipulation. This proposed condition is self-executing and has not been included on the face of the draft permit approval, except by reference through inclusion of the Department's standard condition that refers to the Stipulation (condition 4 on the draft approval document), and as documented in this letter. The

Stipulation, with attached delivery agreement, and this letter will be retained in the Department's water right file for 65-24195.

- Condition B is also self-executing and is incorporated in the draft approval in the form of the proposed place of use legal description, informational map, and descriptive language included as condition 3 on the draft approval.
- Condition C references the private agreement between the parties that governs the use of diversion and delivery system. This proposed condition is incorporated in the draft permit approval as the Department's standard condition referencing private agreements (included as condition 4 on the draft approval) and supported by the standard condition of the Department that the permit does not grant a right of way (condition 5). Again, a copy of the delivery agreement is attached to the Stipulation and will be retained in the Department's water right file for 65-24195.

Please review the draft approval carefully. If you think the draft approval is not substantially in conformance with your settlement, please contact the Department within 14 days of the date of this letter with your concerns. The application has no remaining protests; therefore, if we do not hear from you, the Department will take the steps necessary to bring the application to final resolution. Note that you may file a petition for reconsideration within 14 days after the Department issues a preliminary order approving the permit.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Nick Miller
Regional Manager

Enclosure

CC via email to:

Terrace Lakes Recreation Ranch Inc - resortcabins@gmail.com
Terrace Lakes Water Co - dlargent@terracelakeswater.com

State of Idaho
Department of Water Resources

Permit to Appropriate Water

DRAFT

No. 65-24195

Priority: November 29, 2022 **Maximum Diversion Rate:** 0.07 CFS

This is to certify that

TERRACE LAKES RECREATION RANCH INC 101 HOLIDAY DR GARDEN VALLEY ID 83622-5031

has applied for a permit to appropriate water from:

Source : GROUND WATER

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

Beneficial Use	Period of Use	Rate of Diversion
COMMERCIAL	01/01 to 12/31	0.07 CFS

Location of Point(s) of Diversion

GROUND WATER	L4 (NW¼ NW¼),	Sec. 3,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ NE¼,	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	SW¼ SE¼,	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L4 (SE¼ SE¼),	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L1 (NE¼ NE¼),	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ NW¼,	Sec. 34,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ NW¼,	Sec. 34,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE¼ SW¼,	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L4 (NW¼ NW¼),	Sec. 3,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	L4 (NW¼ NW¼),	Sec. 4,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW¼ SE¼,	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	L3 (NE¼ SE¼),	Sec. 33,	Twp 10N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE¼ SW¼,	Sec. 28,	Twp 10N, Rge 04E, B.M.	BOISE 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	
10N	04E	33		X		X L2										X	X		

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2024.**
2. Subject to all prior water rights.
3. Commercial use is for 1 motel, 2 cabins, 1 pool with restrooms and showers, 2 golf course restroom and drinking fountain locations, and 1 lodge.
4. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 65-24195

Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

5. This right does not grant any right-of-way or easement across the land of another.

6. 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.

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

Signed this _____ day of _____, 20____.

DRAFT

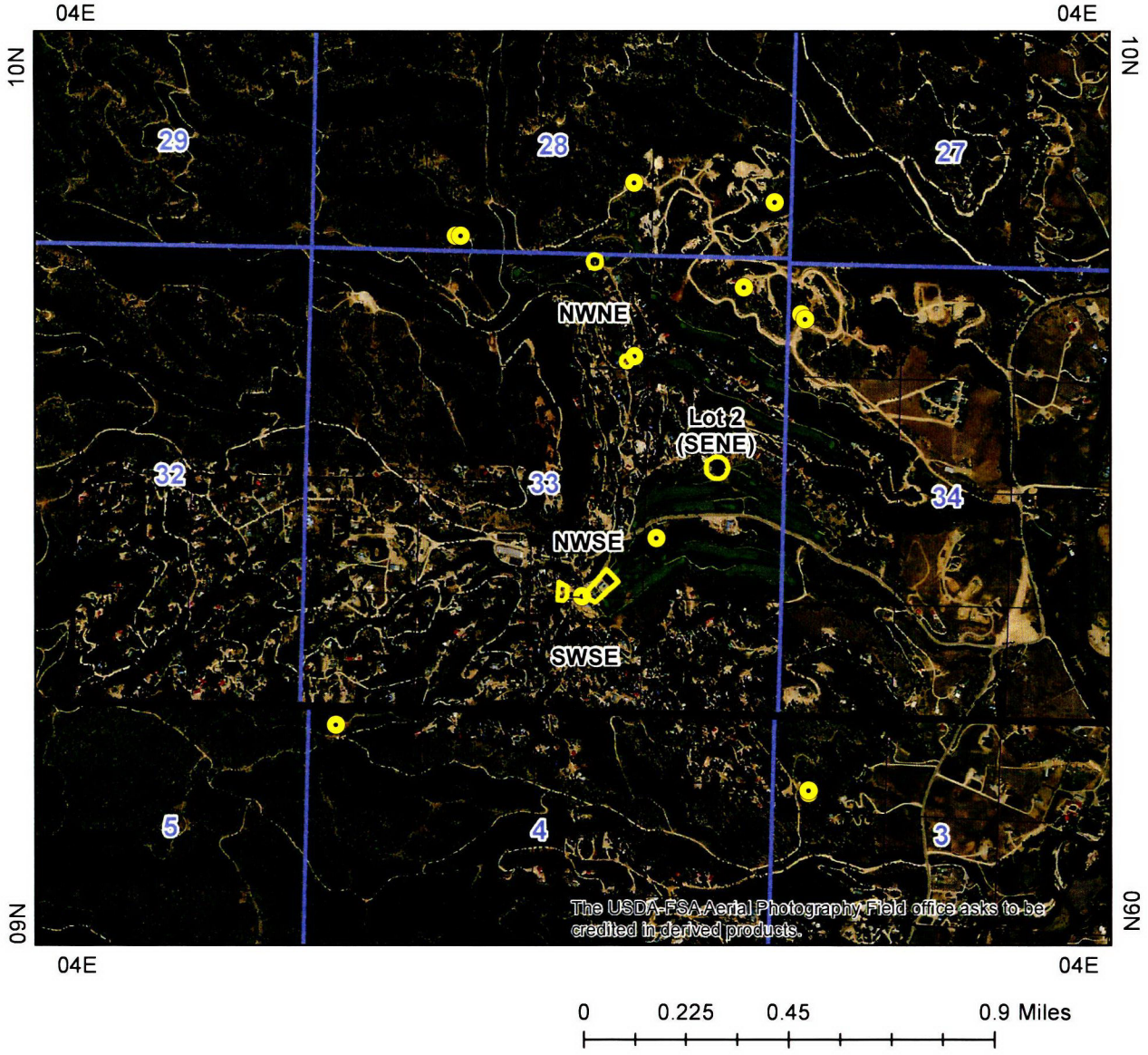
NICK MILLER
Western Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

65-24195

This map depicts the COMMERCIAL 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.



Mansfield, Debra

From: Debby Long <debby@sawtoothlaw.com>
Sent: Thursday, September 21, 2023 2:43 PM
To: IDWR File
Cc: Bryce Farris; mfeldman@hollandhart.com; Miller, Nick
Subject: Stipulation to Resolve protest - Permit No. 65-24195 - Terrace Lakes Recreation Ranch Inc.
Attachments: TLWC_TLRR Stipulation to Dismiss Protest IDWR (final counterpart signatures and exhibit 092123).pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good afternoon ,

Please find attached the *Stipulation to Resolve Protest* in the Matter of Application for Permit No. 65-24195 in the Name of Terrace Lakes Recreation Ranch, Inc. for filing with the Department.

Please contact this office if you have any questions.

Thank you,
Debby Long
SAWTOOTH LAW OFFICES, PLLC
debby@sawtoothlaw.com
www.sawtoothlaw.com
1101 W. River Street, Suite 110
Boise, Idaho 83702
T (208) 629-7447
F (208) 629-7559

SAWTOOTH LAW OFFICES, PLLC

NOTICE: This e-mail, including attachments, constitutes a confidential attorney-client communication. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail or by calling (208) 629-7447, so that our address record can be corrected. Thank you.

scanned

RECEIVED
Sep 21, 2023
DEPARTMENT OF
WATER RESOURCES

S. Bryce Farris [ISB # 5636]
SAWTOOTH LAW OFFICES, PLLC
1101 W. River Street, Suite 110
Boise, Idaho 83702
T (208) 629-7447
F (208) 629-7559
E bryce@sawtoothlaw.com

Attorneys for Applicant
Terrace Lakes Recreation Ranch, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 65-24195 IN THE NAME OF TERRACE LAKES RECREATION RANCH, INC.	**STIPULATION TO RESOLVE PROTEST**

COME NOW, Terrace Lakes Recreation Ranch, Inc. ("Applicant") and Terrace Lakes Water Company ("Protestant"), and hereby submit this *Stipulation to Resolve Protest* in the above-captioned matter.

Applicant and Protestant hereby stipulate and agree as follows:

1. Applicant and Protestant agree that the permit for Water Right Nos. 65-24195 may be granted contingent upon the following conditions be included in Applicant's final Permit to Appropriate Water for Water Right No. 65-24195:

A. Applicant must modify, and hereby modifies, Application for Permit No. 65-24195 to reflect that it is not "served" by Protestant. (*See* Terrace Lakes Recreation Ranch, Inc. Water Right Application Technical Memorandum dated November 18, 2022).

B. Applicant must modify, and hereby modifies, the Application for Permit No. 65-24195's Place of Use information to correspond with the actual place of use for the commercial uses TLRR applied for. (*See* Terrace Lakes Recreation Ranch, Inc. Water Right Application Item 9, Point of Use Summary (November 18, 2022)). Applicant has provided a map to IDWR of the actual place of use.

C. Applicant must modify, and hereby modifies, the Application for Permit No. 65-24195 to indicate that its use of the diversion and distribution system is pursuant

to the terms and conditions of the Water Delivery Agreement, which is attached hereto and shall be made an attachment to Applicant's modified Application for Permit No. 65-24195.

2. Protestant hereby withdraws its Protest filed in the above-captioned matters based upon the inclusion of the conditions, or substantially the same, stated in this Stipulation in Applicant's final Permit to Appropriate Water for Water Right No. 65-24195. The filing of this Stipulation to Resolve Protest shall serve as Protestant's withdrawal of its Protest.

DATED this 18 day of September, 2023.

TERRACE LAKES RECREATION RANCH, INC.

By Ilene Johnson

ILENE JOHNSON (print name)

Its CORP / SECRETARY / TREASURER

DATED this _____ day of September, 2023.

TERRACE LAKES WATER COMPANY

By _____

_____ (print name)

Its _____

CERTIFICATE OF SERVICE

to the terms and conditions of the Water Delivery Agreement, which is attached hereto and shall be made an attachment to Applicant's modified Application for Permit No. 65-24195.

2. Protestant hereby withdraws its Protest filed in the above-captioned matters based upon the inclusion of the conditions, or substantially the same, stated in this Stipulation in Applicant's final Permit to Appropriate Water for Water Right No. 65-24195. The filing of this Stipulation to Resolve Protest shall serve as Protestant's withdrawal of its Protest.

DATED this _____ day of September, 2023.

TERRACE LAKES RECREATION RANCH, INC.

By_____

_____ (print name)

Its _____

DATED this 15 day of September, 2023.

TERRACE LAKES WATER COMPANY

By_____

(print name)

Its President

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September, 2023, I caused a true and correct copy of the foregoing **STIPULATION TO RESOLVE PROTEST** to be served by the method indicated below, and addressed to the following:

Murray Feldman
Holland & Hart LLP
P.O. Box 2527
Boise, ID 83701
E-mail: mfeldman@hollandhart.com

( ) U.S. Mail, Postage Prepaid
( ) Hand Delivered
( ) Overnight Mail
( ) Facsimile
(X) Email

S. Bryce Farris

EXHIBIT A

WATER DELIVERY AGREEMENT

This Water Delivery Agreement ("Agreement") is entered into between Terrace Lakes Water Company, an Idaho non-profit corporation ("TLWC"), and Terrace Lakes Recreation Ranch, Inc., an Idaho Corporation ("TLRR"). TLWC and TLRR are collectively referred to as the "Parties."

RECITALS.

A. TLWC is a non-profit domestic water distribution company providing residential domestic water utility service to Subscribers, as defined in TLWC's Bylaws. TLWC operates and maintains a diversion (wells) and distribution system allowing it to deliver domestic, irrigation, and fire protection water to residential homeowners (hereinafter collectively referred to as "the diversion and distribution system"). TLWC's existing service area and major facilities are depicted in **Exhibit A** and **Exhibit B** which are attached hereto.

B. TLRR has certain existing connections off of the water diversion and distribution system: the lodge, pool restrooms/showers, motel, cabins, golf course restroom and drinking fountain, and second golf course restroom and drinking fountain. The lodge and pool bathrooms/showers connections currently have meters on them to measure the amount of water used.

C. TLRR wishes to continue to utilize the diversion and distribution system to now divert and place to beneficial use a commercial-use water right TLRR is currently in the process of obtaining from the Idaho Department of Water Resources.

D. The Parties have worked in good faith to address current and potential areas of conflict and now wish to enter this Agreement to establish protocols and procedures applicable to TLRR's use of water from the diversion and distribution system; to resolve pending litigation and administrative proceedings; and to address certain other matters set out herein.

TERMS OF AGREEMENT:

The Parties agree as follows:

1. *Nature of this Agreement*. This Agreement is to provide for TLRR's use of water from the diversion and distribution system to allow TLRR to divert and receive water under its own commercial use water right for the uses and places of use in its Application for Permit No. 65-24195, as amended pursuant to this Agreement and to be approved by the Idaho Department of Water Resources.

2. *Controlling Agreement*. The terms of this Agreement control the relationship between the Parties with respect to the subject matter of this Agreement. TLWC's policies, procedures, Bylaws, and Subscriber water fees schedule do not apply to TLRR, except as may be otherwise provided in this Agreement.

3. *Delineation of Responsibility*. Under this Agreement, a diversion is defined as a structure used to divert water from its natural source (well). Under this Agreement, a water

distribution system includes mains or pipes, pumps, valves, fire hydrants, storage facilities, pumping facilities, other accessories and/or personal property. TLWC operates and maintains the diversion and distribution system, including wells, points of diversion, and water distribution system, up to TLWC's main line to TLRR's property. TLWC shall have no property right, ownership, or interest in water delivery system infrastructure or personal property extending from the connection with TLWC's main line to TLRR's property and TLRR's structures.

4. *No Change in TLWC's Water Rights*. Nothing in this Agreement is intended to create any interest of either Party in the water rights of the other Party. Accordingly, all of the water rights held by TLWC remain the sole and exclusive property of TLWC.

Rates, Payments, and Fees:

5. *Diversion and Distribution System Usage Rate*. TLRR shall pay TLWC a base rate of $47.00 per month per connection point plus $0.01 per gallon for water usage in excess of 7,500 gallons per connection.

6. *Connections*. The following connections are each individually subject to the base rate fee ($47.00): (1) the motel, (2) cabin #1, (3) cabin #2, (4) pool restrooms/showers, (5) two golf course restroom and drinking fountain locations (together as single connection), and (6) the lodge (charged as two connections). The lodge, as two connections, shall be subject to two base rate fees per month, for a total base rate of $94.00. Any additional TLRR connections to TLWC's water delivery and distribution system are subject to the same rate structure or rate structure applicable at the time of the additional connection.

a. *Water usage in excess of 7,500 gallons*. Each individual connection point will be allowed 7,500 gallons of water use before TLRR must pay the $0.01 per gallon rate. The lodge, as two connection points, will pay the per gallon rate after usage exceeds 15,000 gallons. TLRR is not entitled to apply any portion of unused water to another connection or the next usage or billing cycle.

b. *Golf Course Drinking Fountain and Restrooms*. TLRR has two golf course restroom and drinking fountain locations. Both golf course restroom and drinking fountain locations together are considered a single connection. TLRR's golf course restrooms and golf course drinking fountains shall not be metered. For both golf course restroom and drinking fountain locations, TLRR shall pay a base rate of $47.00 per month.

c. *Lodge*. The lodge will be subject to two monthly flat rate fees, making the base rate per month for the lodge $94.00, plus any additional per gallon charges for water use above 15,000 gallons.

7. *Rate Adjustments*. TLWC may adjust rates based on rate adjustments for TLWC's Subscriber base, commercial reasons, or changes in the cost of operations, maintenance, market conditions, or similar changes impacting TLWC or the water diversion and distribution system that TLRR uses under this Agreement for its water diversion and delivery. Unless related solely to TLRR's commercial use, any rate adjustment shall be reasonably commensurate with rate adjustments for TLWC's Subscriber base.

a. *Prior Notice*. Prior to implementing any rate adjustments, TLWC shall provide TLRR with written notice specifying the proposed rate change and the effective date of such changes. The notice shall be provided at least 30 days in advance of the proposed effective date.

b. *Implementation of Adjusted Rates*. The adjusted rates shall be implemented on the day after the conclusion of the advanced notice period, unless otherwise agreed to by the Parties.

8. *Payments – Payment Terms*. TLRR agrees to make payment to TLWC in accordance with the following terms.

a. *Monthly Statements*. TLWC shall furnish to TLRR for each point of connection for which use of the diversion and water delivery system is provided, a monthly statement of the amount due for usage for the preceding month or up to the time that the meter has been read.

b. *Payment Method*. Payments shall be made by check, credit card, or any other mutually agreed-upon method.

c. *Payment Frequency*. Payment shall be made monthly, on or before the twentieth (20th) day of the month.

d. *Late Payment and Fee*. If TLRR neglects to pay the charges due by the twentieth (20th) day of the month in which the statement is received, payment shall be delinquent. A charge of ten dollars ($10.00) shall be added to the bill ten (10) days after the bill becomes due.

e. *Suspension for Non-Payment*. TLWC shall notify TLRR of the past due amount on its monthly statement. If TLRR does not pay the past due amount in full within five (5) days of the notification, TLWC may suspend TLRR's use of the diversion and distribution system.

9. *Connection Fees and Future Assessments*. TLRR agrees to pay the following fees.

a. *Connection Fees*. In consideration of the benefits being provided to TLRR, TLRR shall pay connection fees in cash or by check in the amount of eight thousand dollars ($8,000.00) within thirty (30) days of this Agreement's effective date.

b. *New Connections*. If TLRR adds new connections to the water diversion and distribution system, each connection will be subject to a $1,600.00 connection fee. The new connection fee must be paid before TLRR may add a connection.

c. *Assessments*. TLRR additionally may be subject to assessments to cover capital costs and improvements related to the water diversion and distribution system and which are reasonably related to TLRR's use of the water diversion and distribution system. Assessments may be necessary to maintain or enhance the quality, reliability, and efficiency of

the water diversion and distribution system. Any assessments shall be commensurate with assessments for TLWC's Subscriber base of residential water use. In other words, capital costs and other improvements shall not be solely assessed to TLRR but shall also include all of TLWC's Subscribers, unless the costs and improvements are attributable to TLRR's use of the water diversion and distribution system.

i. *Assessment Process*. If TLWC deems an assessment necessary, it shall provide written notice to TLRR outlining the purpose, scope, estimated costs, and timeline of the proposed capital costs or improvements. Notices shall be issued in accordance with the terms of this Agreement.

ii. *Calculation of Assessments*. Assessments shall be calculated based on a fair and reasonable methodology, which may consider factors such as the TLRR's water usage and other relevant considerations. The calculation method shall be provided in the notice to TLRR.

iii. *Payment of Assessments*. TLRR shall make payments for the assessments within twenty (20) days from the date of receiving the notice. The payment shall be made in accordance with the payment terms outlined in this Agreement, unless otherwise specified in the notice. Failure to pay special assessments shall result in late fees or suspension for non-payment as provided by paragraph 8.

Meters, Installation, and Maintenance:

10. *Meter Installation*. TLWC's watermaster shall be responsible for choosing or approving all meters. TLWC's watermaster or Licensed Operator shall also be responsible for installing all meters. TLRR shall bear the cost of all new and replacement meters, including purchase of meters, and costs associated with installation, including but not limited to, materials and labor.

11. *Locations of Current Meters*. There are currently two meters installed on the TLRR property, located at the lodge and the pool restrooms/showers. These meters are to remain in their current location but are to be replaced by September 20, 2023.

12. *Meters to be Installed*. TLWC's watermaster and/or Licensed Operator will install one meter to serve the motel and two cabins. The motel and cabin meter must be installed on or before September 20, 2023. TLWC must notify TLRR of any new meter installation and coordinate with TLRR to conduct new installation.

13. *Meter and Installation Qualifications*. All meters must be tamper-proof, and in good-working order. Meters may only be installed by TLWC's Licensed Operators, licensed in accordance with Idaho Code Title 54, Chapter 24, Drinking Water and Wastewater Professionals Licensing Act and the Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08, as may be amended.

14. *Right of TLWC to Inspect*. TLWC's watermaster may conduct inspections or readings at any time between the hours of 8:00AM and 5:00PM, Monday through Friday. TLWC's watermaster will provide TLRR reasonable notice prior to entering TLRR's property to

the extent that it is possible to do so. TLWC's right to inspect is limited to TLWC's Licensed Operators and/or watermaster and does not include TLWC's Board Members, Officers or Subscribers.

15. *Accepted/Rejected Meters*. All meters are subject to inspection and approval by TLWC's watermaster or the watermaster's designee. If TLWC finds that TLRR's meters are unacceptable for any reason, TLWC will provide written notification of its dissatisfaction in accordance with the notice terms of this Agreement. TLWC is solely responsible for determining whether a meter is broken, faulty, or unacceptable.

16. *Maintenance and Repair of Meters*. TLWC will repair and maintain all meters at TLRR's expense. TLWC may invoice TLRR for these services as they arise or may include these costs on TLRR's monthly bill.

17. *Access to Meters*. Areas surrounding meters shall be maintained so that meters are safely and easily accessible.

TLRR'S MAINTENANCE AND REPAIR OBLIGATIONS.

18. *Maintenance and Repairs*. TLRR is solely responsible for all services, maintenance, repair and replacement of its own water lines, fixtures, and distribution systems from the diversion and distribution system's main water line to TLRR's structures or TLRR's place of use (hereinafter "TLRR's distribution system"). TLRR agrees that all maintenance, repairs, and replacements shall be performed with the highest degree of skill, care, and professionalism, using industry best practices in a manner consistent with generally accepted standards. TLRR holds TLWC harmless from any and all liability, express or implied, arising out of or in connection with personal injury or property damage resulting from TLRR's operation, maintenance, or repair of TLRR's distribution system. Any alterations to TLRR's distribution system must be compliant with Idaho Department of Environmental Quality's Best Management Practices. TLRR's use of the diversion and distribution system may be suspended if TLRR's defective fixtures, structures, or lines results in harm to the diversion and distribution system or negative impacts to TLWC's water rights.

19. *Backflow Prevention*. TLRR will operate and maintain, at its own expense, a backflow prevention system where there is a point of connection from TLRR's distribution system with the water diversion and distribution system.

20. *No New Connections Without Approval*. TLRR shall not add a new connection to the water diversion and distribution system without obtaining TLWC's prior written approval to do so. TLWC has sole authority to approve or reject new connections. A new connection is subject to the meter requirement, connection fee, assessment, water delivery usage rate, and all other terms then prevailing under this Agreement.

OTHER OBLIGATIONS.

21. *Stipulation for Withdrawal of Protest*. TLWC will withdraw its protest to TLRR's Application for Permit No. 65-24195 upon the filing of a joint Stipulation for

Withdrawal of Protest, within ten (10) days of this Agreement's effective date, which Stipulation provides that TLRR agrees to modify the following items in its Application for Permit:

a. TLRR must modify Application for Permit No. 65-24195 to reflect that it is not "served" by TLWC. (*See* Terrace Lakes Recreation Ranch, Inc. Water Right Application Technical Memorandum dated November 18, 2022).

b. TLRR must modify the Application for Permit No. 65-24195's Place of Use information to correspond with the actual place of use for the commercial uses TLRR applied for. (*See* Terrace Lakes Recreation Ranch, Inc. Water Right Application Item 9, Point of Use Summary (November 18, 2022)).

c. TLRR must modify the Application for Permit No. 65-24195 to indicate that its use of the diversion and distribution system is pursuant to the terms and conditions of this Agreement, and this executed Agreement shall be made an attachment to TLRR's modified Application for Permit No. 65-24195.

22. *Dismissal of Lawsuit*. Upon execution of this Agreement, TLRR and TLWC stipulate to the dismissal with prejudice of the lawsuit pending before the State of Idaho District Court for the Fourth Judicial District, Boise County, *Terrace Lakes Recreation Ranch, Inc. v. Dennis Largent, Mary Cordova, Chuck Steele, Julie Stillman, Rolly Woolsey, as members of the Board of Directors of the Terrace Lakes Water Company*, Case No. CV08-22-00217, with each party bearing their own attorney fees and costs. This stipulation will be submitted to the court within ten (10) days of this Agreement's effective date.

23. *Obtaining Additional Water Rights*. If the water right obtained under Application for Permit No. 65-24195 is insufficient to meet TLRR's commercial-use needs, TLRR agrees to obtain additional water rights sufficient to cover the deficit. During the interim period before TLRR obtains additional water rights, TLRR will implement water conservation measures to ensure that it does not use water beyond its permitted commercial-use amount under Permit No. 65-24195 as the same may be issued by IDWR.

24. *Water Standards*. TLWC shall continue to operate the diversion and water delivery system consistent with water quality standards applicable to its Subscriber base. TLWC will have no water quality standards obligations beyond those existing obligations. TLRR shall be responsible for any drinking water or other water quality standards related to its own water lines, distribution systems from the main line to TLRR's structures, fixtures or TLRR's place of use.

25. *Dispute Resolution - Mediation*. All disputes arising under, pertaining to, or touching upon this Agreement, if not resolved by negotiation between Parties, shall be subject to non-binding mediation before an independent mediator. The Parties shall endeavor to mutually agree on an independent third-party mediator within 15 days of the other Party's receipt of the demand for mediation. If the parties are unable to agree upon a mediator, any Party may file a declaratory judgment action with the Fourth Judicial District Court for the State of Idaho, Boise County, Idaho requesting that the Court designate and appoint a qualified mediator from the list of Civil Case Mediators maintained by the Idaho Supreme Court to mediate the dispute in

accordance with the Uniform Mediation Act, Idaho Code Section 9-801, et. seq. Any demand for mediation shall be made in writing and served upon the other Party pursuant to the Notice Provisions of this Agreement. The demand shall set forth with reasonable specificity the basis of the dispute and the relief sought. The mediation hearing will occur at a time and place convenient to the parties in Boise, Idaho within 30 days of selecting the mediator. The Parties shall bear their own costs and expenses associated with the mediation and shall share equally the costs and expenses of the mediator. No filing of a court motion to enforce any provision of this Agreement or resolve any dispute within the scope of this section may be commenced (other than an action for declaratory judgment as referenced above to request the court to designate and appoint a qualified mediator) or submitted by either Party without first submitting the dispute to this mandatory pre-litigation mediation pursuant to this section.

OTHER PROVISIONS.

26. *Entire Agreement*. This Agreement embodies the entire Agreement between the Parties with respect to TLRR's use of the diversion and distribution system pursuant to Permit No. 65-24195 as the same may be issued by IDWR. There are no oral promises, terms, conditions, or obligations other than those contained in this Agreement.

27. *Severability*. If any provisions of this Agreement shall be held to be unenforceable, the remaining provisions shall nevertheless be enforceable and carried into effect, unless elimination of the unenforceable provisions shall materially frustrate the intent of the Parties.

28. *Emergency Failures*. Emergency failures of pressure or supply due to main supply line breaks, power failures, flood, fire, and use of water to fight fire or other similar catastrophes shall excuse TLWC from providing water via the diversion and distribution system for such reasonable amount of time as may be necessary to restore function of the diversion and distribution system. TLWC shall not be held liable for such emergency failures.

29. *Controlling Law*. This Agreement shall be construed and interpreted in accordance with the laws and provisions of the State of Idaho. The venue for any claim, litigation, or cause of action between the Parties pertinent to this Agreement shall be in the Fourth District Court, Boise County, Idaho.

30. *Indemnity-Fire*. TLRR understands and agrees that TLWC does not warrant that TLWC's infrastructure and equipment is sufficient for meeting TLRR's fire protection needs.

31. *Successors and Assigns*. This Agreement shall be binding upon the Parties' respective successors and assigns. This Agreement is for the benefit of the Parties hereto, and no entity not a party to this Agreement shall acquire any rights or claims by reason of this Agreement.

32. *Required Consent for Assignment*. The Parties' respective rights and obligations under this Agreement shall not be assignable or delegable whether by sale, assignment, merger or otherwise without prior written consent of the other, except if another entity purchases all or substantially all of the assets of either party, in which case assignment shall be effective upon notice to the other party. Such consent shall not be unreasonably withheld.

33. *Amendment*. This Agreement may be amended only by written instrument, signed by both Parties. A rate adjustment (paragraph 7) or assessment (paragraph 9.c.) does not require an Amendment to the Agreement so long as they comply with the conditions provided in paragraphs 7 and 9.c.

34. *Notices*. Any notices required or permitted under this Agreement shall be in writing and shall be delivered by United States mail, first-class postage prepaid addressed to the Parties as follows:

If to TLWC:

Terrace Lakes Water Company
Board of Directors
P.O. Box 141
Garden Valley, ID 83622

If to TLRR:

Terrace Lakes Recreation Ranch, Inc.
101 Holiday Drive
Garden Valley, ID 83622-5031

35. *Effective Date and Term*. The effective date of this Agreement shall be the date of the last signature to be affixed to this document below. This Agreement shall be in immediate effect as of the effective date and shall continue thereafter in full force and effect.

36. *Termination*.

a. *Termination for Breach*. Either party may terminate this Agreement in the event of a material breach by the other party. A material breach is any failure to abide by the terms of this Agreement or the failure to pay fees or dues incurred under this Agreement. The non-breaching party shall provide written notice specifying the nature of the breach and a reasonable cure period. If the breaching party fails to remedy the breach within the cure period, the non-breaching party may terminate the Agreement.

b. *Termination by Mutual Agreement*. This Agreement may terminate by mutual agreement of the Parties, in writing. The termination shall specify the effective date of termination and any additional terms or conditions agreed upon by both Parties.

c. *Consequences of Termination*. Upon termination of this Agreement, the Parties shall fulfill any outstanding obligations and settle any outstanding payments or liabilities as per the terms of this agreement. The termination shall not affect any rights, remedies, or obligations that have accrued prior to the effective date of termination.

37. *Attorney Fees*. In the event either Party is required to enforce the terms or provisions of this Agreement, the prevailing party in any litigation arising therefrom shall be entitled to recover its reasonable attorney fees for the prosecution thereof.

38. *Counterpart Signatures*. This Agreement may be executed in two counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

39. *Authority*. TLWC and TLRR represent and warrant that each has the authority to enter into this Agreement and to take all actions provided herein.

IN WITNESS WHEREOF, the Parties have executed this Water Delivery Agreement and made it effective as of the date of the last signature below.

Terrace Lakes Recreation Ranch, Inc.	Terrace Lakes Water Company
By: Glenn Johnson	By: _____
Its Sec / Treasurer	Its _____
Date: 9/18/2023	Date: _____

30411924_v6

37. *Attorney Fees*. In the event either Party is required to enforce the terms or provisions of this Agreement, the prevailing party in any litigation arising therefrom shall be entitled to recover its reasonable attorney fees for the prosecution thereof.

38. *Counterpart Signatures*. This Agreement may be executed in two counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

39. *Authority*. TLWC and TLRR represent and warrant that each has the authority to enter into this Agreement and to take all actions provided herein.

IN WITNESS WHEREOF, the Parties have executed this Water Delivery Agreement and made it effective as of the date of the last signature below.

Terrace Lakes Recreation Ranch, Inc.	Terrace Lakes Water Company
By: _____	By: _____
Its _____	Its President
Date: _____	Date: 14 SEPT 2022

30411924_v6

Exhibit A to Water Delivery Agreement

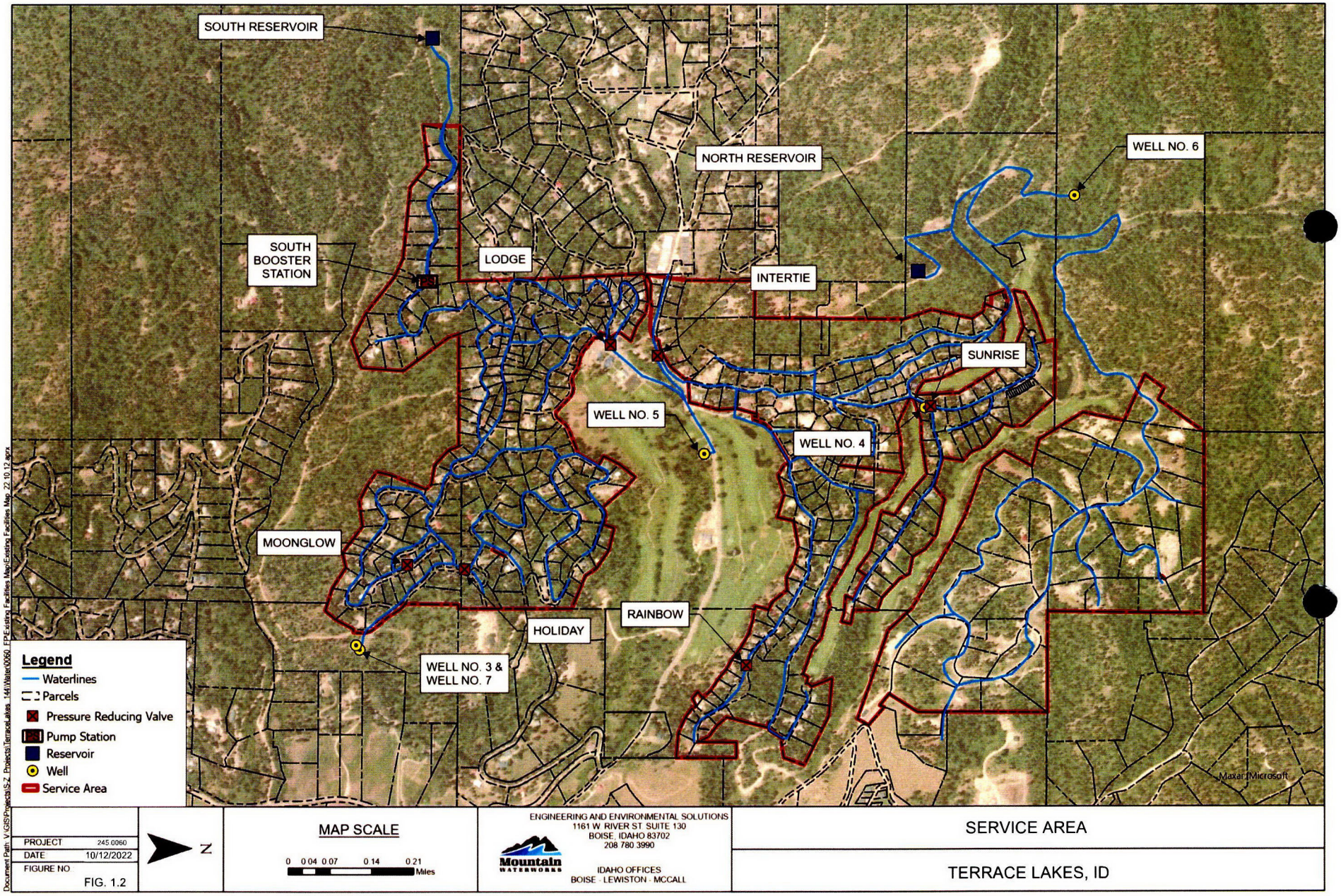
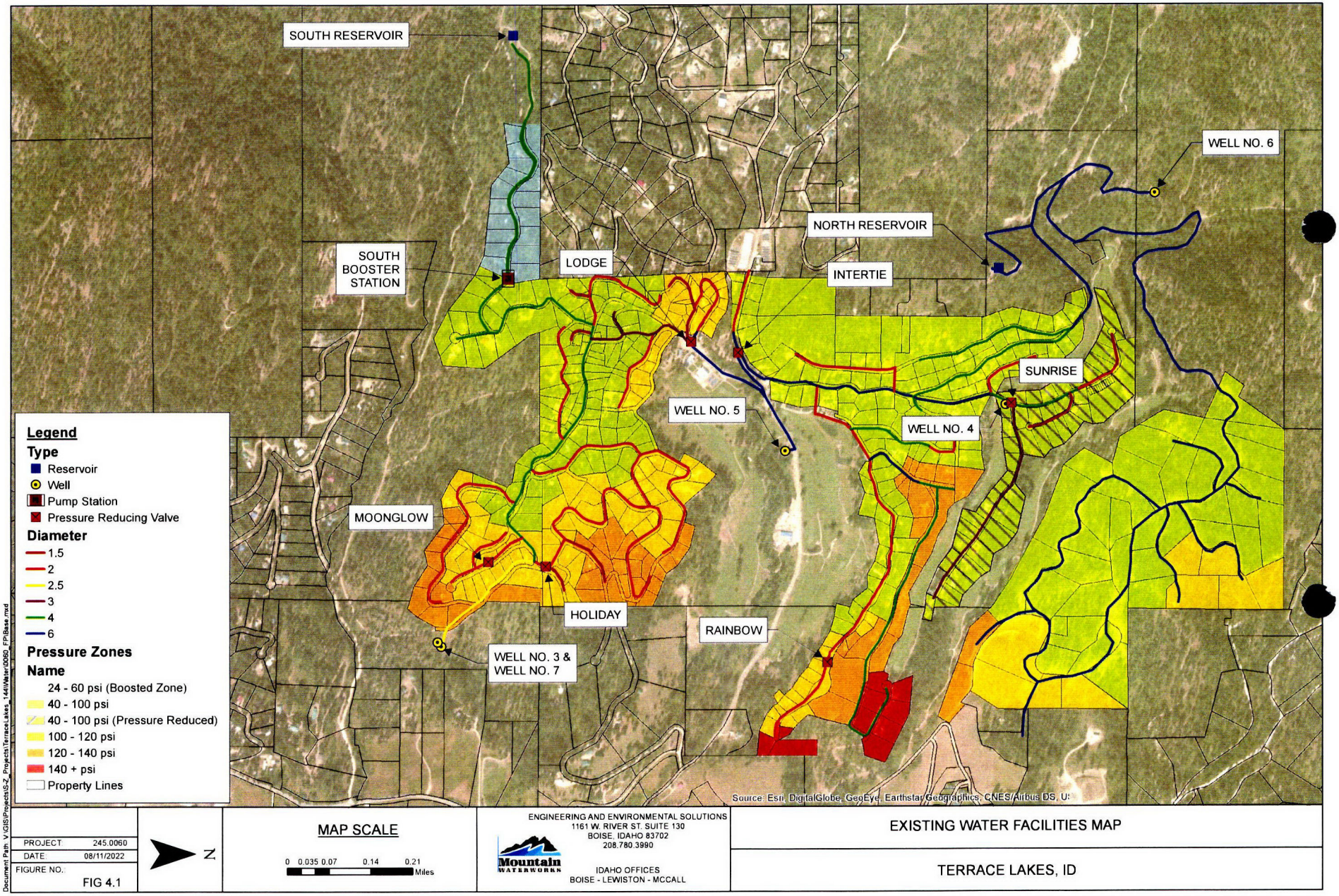


Exhibit B to Water Delivery Agreement



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 65-24195 IN THE NAME OF TERRACE LAKES RECREATION RANCH INC	)	**NOTICE OF INFORMAL SETTLEMENT CONFERENCE**

On 11/29/2022, TERRACE LAKES RECREATION RANCH INC filed Application for Water Right Permit No. 65-24195 with the Idaho Department of Water Resources ("Department"). Protest(s) were filed by TERRACE LAKES WATER CO.

The Department has scheduled this case for informal settlement conference on Thursday, May 25, 2023 beginning at 10:00 AM at IDAHO DEPT OF WATER RESOURCES, WESTERN REGION, 2735 AIRPORT WAY BOISE, ID 83705. The applicant and protestant(s) must attend. If the parties wish to participate via telephone or video conference, requests should be directed to Lynne Evans at 208-605-4620.

Agenda items for the informal settlement conference will include:

1. Review of the application and protest(s),

2. Additional informational needs,

3. Settlement options,

4. Need for additional informal proceedings or alternative dispute resolution options, and

5. Commencement of formal proceedings.

The Department encourages the applicant and protestant(s) to discuss and resolve the protest(s) before the informal settlement conference. If private discussions are not possible or do not resolve the protest(s), the informal settlement conference provides another opportunity for the applicant and protestant(s) to meet before commencing a formal hearing. Parties often settle their differences at the informal settlement conference.

If informal proceedings are unlikely to resolve this protested case, the Department will initiate formal proceedings by issuing a notice of prehearing conference and identifying a presiding officer. It is important for all parties to make the most of the opportunity to resolve the dispute informally.

The informal settlement conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the prehearing conference,

SCANNED
JUL 05 2023

please notify the Department at least ten (10) days prior to the conference. Inquiries about scheduling, hearing facilities, etc., should be directed to Lynne Evans at 208-605-4622.

Dated this 5 day of May, 2023.

Lynne Evans
Administrative Assistant I

SCANNED
JUL 05 2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of May, 2023, I served a true and correct copy of the foregoing document on the following by the method(s) indicated below:

TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY, ID 83622-5031
(208) 462-3250
resortcabins@gmail.com
Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

S. BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
BOISE, ID 83702-7067
(208) 629-7447
bryce@sawtoothlaw.com
Attorney for Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

TERRACE LAKES WATER CO
ATTN: DENNIS LARGENT
PO BOX 141
GARDEN VALLEY, ID 83622-0141
(208) 957-3937
dlargent@terracelakeswater.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

MURRAY D. FELDMAN
HOLLAND & HART LLP
PO BOX 2527
BOISE, ID 83701-2527
(208) 383-3921
mfeldman@hollandhart.com
Attorney for Terrace Lakes Water Co

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

Lynne Evans
Administrative Assistant I

SCANNED

JUL 05 2023

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Applications to appropriate the water of the state of Idaho are referred to as applications for permit and are for the development of new water rights. Section 42-203A, Idaho Code, requires the Idaho Department of Water Resources (Department) to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation reduce the quantity of water under existing water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Will the proposed use conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?
7. Will the proposed use adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, 6, and 7 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 5 lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for all of these issues.

PROCEDURE

The Department generally conducts an informal settlement conference with the parties to determine the issues and to try to settle a protested matter before the formal hearing process starts. The formal hearing process commences with a prehearing conference, which may require parties to be represented by an attorney.

SCANNED

JUL 05 2023

INFORMAL SETTLEMENT CONFERENCE

The purpose of an informal settlement conference is to provide the opportunity for the parties and the Department to familiarize themselves with a protested matter and to attempt to resolve the matter. At the conference, the Department and the parties will discuss the application and protests, explore settlement options, discuss additional informational needs, evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation, and discuss the commencement of formal proceedings. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the informal settlement conference for the purpose of scheduling follow-up conferences, if needed.

HEARING

If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

If necessary, the hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. The hearing officer will be designated in a notice of prehearing conference that commences the formal hearing process.

AMERICANS WITH DISABILITIES ACT

Any scheduled conferences or hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please notify the Department no later than ten (10) days prior to the conference or hearing.

SCANNED

JUL 05 2023

Evans, Lynne

From: Evans, Lynne
Sent: Friday, May 5, 2023 10:53 AM
To: resortcabins@gmail.com; bryce@sawtoothlaw.com; dlargent@terracelakeswater.com; Murray Feldman
Cc: Miller, Nick
Subject: Informal Settlement Conference: Application for Permit No. 65-24195
Attachments: ISC 65-24195 5-25-23.pdf

Dear parties:

Please see the attached Notice of Informal Settlement Conference regarding Application for Permit No. 65-24195. This notice has also been sent by mail to all parties who have not requested service by email.

If you have any questions, please reach out to me or Nick Miller.

Regards,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
JUL 05 2023

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 65-24195 IN THE NAME OF TERRACE LAKES RECREATION RANCH INC	)	**NOTICE OF INFORMAL SETTLEMENT CONFERENCE**

On 11/29/2022, TERRACE LAKES RECREATION RANCH INC filed Application for Water Right Permit No. 65-24195 with the Idaho Department of Water Resources ("Department"). Protest(s) were filed by TERRACE LAKES WATER CO.

The Department has scheduled this case for informal settlement conference on Tuesday, April 18, 2023 beginning at 10:00 AM at IDAHO DEPT OF WATER RESOURCES, WESTERN REGION, 2735 AIRPORT WAY BOISE, ID 83705. The applicant and protestant(s) must attend. If the parties wish to participate via telephone or video conference, requests should be directed to Lynne Evans at 208-605-4620.

Agenda items for the informal settlement conference will include:

1. Review of the application and protest(s),

2. Additional informational needs,

3. Settlement options,

4. Need for additional informal proceedings or alternative dispute resolution options, and

5. Commencement of formal proceedings.

The Department encourages the applicant and protestant(s) to discuss and resolve the protest(s) before the informal settlement conference. If private discussions are not possible or do not resolve the protest(s), the informal settlement conference provides another opportunity for the applicant and protestant(s) to meet before commencing a formal hearing. Parties often settle their differences at the informal settlement conference.

If informal proceedings are unlikely to resolve this protested case, the Department will initiate formal proceedings by issuing a notice of prehearing conference and identifying a presiding officer. It is important for all parties to make the most of the opportunity to resolve the dispute informally.

The informal settlement conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the prehearing conference,

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please notify the Department at least ten (10) days prior to the conference. Inquiries about scheduling, hearing facilities, etc., should be directed to Lynne Evans at 208-605-4622.

Dated this 17 day of March, 2023.

Lynne Evans
Administrative Assistant I

SCANNED
JUL 05 2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17 day of March, 2023, I served a true and correct copy of the foregoing document on the following by the method(s) indicated below:

TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY, ID 83622-5031
(208) 462-3250
resortcabins@gmail.com
Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

S. BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
BOISE, ID 83702-7067
(208) 629-7447
bryce@sawtoothlaw.com
Attorney for Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

TERRACE LAKES WATER CO
ATTN: DENNIS LARGENT
PO BOX 141
GARDEN VALLEY, ID 83622-0141
(208) 957-3937
dlargent@terracelakeswater.com
Protestant

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

MURRAY D. FELDMAN
HOLLAND & HART LLP
PO BOX 2527
BOISE, ID 83701-2527
(208) 383-3921
mfeldman@hollandhart.com
Attorney for Terrace Lakes Water Co

- ☐ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

Lynne Evans
Administrative Assistant I

SCANNED
JUL 05 2023

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Applications to appropriate the water of the state of Idaho are referred to as applications for permit and are for the development of new water rights. Section 42-203A, Idaho Code, requires the Idaho Department of Water Resources (Department) to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation reduce the quantity of water under existing water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Will the proposed use conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?
7. Will the proposed use adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, 6, and 7 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 5 lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for all of these issues.

PROCEDURE

The Department generally conducts an informal settlement conference with the parties to determine the issues and to try to settle a protested matter before the formal hearing process starts. The formal hearing process commences with a prehearing conference, which may require parties to be represented by an attorney.

SCANNED
JUL 05 2023

INFORMAL SETTLEMENT CONFERENCE

The purpose of an informal settlement conference is to provide the opportunity for the parties and the Department to familiarize themselves with a protested matter and to attempt to resolve the matter. At the conference, the Department and the parties will discuss the application and protests, explore settlement options, discuss additional informational needs, evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation, and discuss the commencement of formal proceedings. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the informal settlement conference for the purpose of scheduling follow-up conferences, if needed.

HEARING

If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

If necessary, the hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. The hearing officer will be designated in a notice of prehearing conference that commences the formal hearing process.

AMERICANS WITH DISABILITIES ACT

Any scheduled conferences or hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please notify the Department no later than ten (10) days prior to the conference or hearing.

SCANNED

JUL 05 2023

Evans, Lynne

From: Evans, Lynne
Sent: Friday, March 17, 2023 11:52 AM
To: resortcabins@gmail.com; bryce@sawtoothlaw.com; dlargent@terracelakeswater.com; Murray Feldman
Cc: Miller, Nick
Subject: Informal Settlement Conference: Application for Permit No. 65-24195
Attachments: ISC Notice 65-24195.pdf

Dear parties:

Please see the attached Notice of Informal Settlement Conference regarding Application for Permit No. 65-24195. This notice has also been sent by mail to all parties who have not requested service by email.

If you have any questions, please reach out to me or Nick Miller.

Regards,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
JUL 05 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

February 22, 2023

TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY, ID 83622-5031

S. BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
BOISE, ID 83702-7067

TERRACE LAKES WATER CO
C/O DENNIS LARGENT
PO BOX 141
GARDEN VALLEY, ID 83622-0141

MURRAY D. FELDMAN
HOLLAND & HART LLP
PO BOX 2527
BOISE, ID 83701-2527

RE: Application for Permit No(s). 65-24195

Dear Parties:

This letter acknowledges receipt of a protest(s) filed against Application for Permit No(s). 65-24195. The following options are available for the resolution of protested applications:

- Direct contact between the parties to determine the nature of the protest(s) and to attempt to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).
- Discussions at an informal settlement conference between Department staff, the applicant(s), and the protestant(s). The enclosed document summarizes the informal settlement conference purpose and procedure.
- Formal proceedings administered by the Department after the informal settlement conference. If formal proceedings are necessary, the Department will schedule a prehearing conference to begin the process.

Please consider the best option(s) for resolution of the protested application.

Meanwhile, the Department will schedule an informal settlement conference pursuant to the Department's Rules of Procedure (IDAPA 37.01.01). **Please notify the Department within 14 days of any dates you are UNAVAILABLE to participate in an informal settlement conference in the next three months on the enclosed calendars.** You may provide unavailable dates via mail or via email to the email address below. If you do not notify the Department of unavailable dates, the Department will assume you are available for the informal settlement conference on any date selected. The Department may schedule the informal settlement conference as a conference phone call or in-person. The Department will send notice of the informal settlement conference once it is scheduled.

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JUL 05 2023

You may contact this office if you have any questions regarding the procedure discussed in this letter or additional information regarding the application, protest(s), water rights, and other matters administered by the Department is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Lynne Evans
Administrative Assistant I
(208) 605-4622
Lynne.Evans@idwr.idaho.gov

Enclosure(s): Informal Settlement Conference Procedure

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JUL 05 2023

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Applications to appropriate the water of the state of Idaho are referred to as applications for permit and are for the development of new water rights. Section 42-203A, Idaho Code, requires the Idaho Department of Water Resources (Department) to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation reduce the quantity of water under existing water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Will the proposed use conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?
7. Will the proposed use adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, 6, and 7 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 5 lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for all of these issues.

PROCEDURE

The Department generally conducts an informal settlement conference with the parties to determine the issues and to try to settle a protested matter before the formal hearing process starts. The formal hearing process commences with a prehearing conference, which may require parties to be represented by an attorney.

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JUL 05 2023

INFORMAL SETTLEMENT CONFERENCE

The purpose of an informal settlement conference is to provide the opportunity for the parties and the Department to familiarize themselves with a protested matter and to attempt to resolve the matter. At the conference, the Department and the parties will discuss the application and protests, explore settlement options, discuss additional informational needs, evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation, and discuss the commencement of formal proceedings. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the informal settlement conference for the purpose of scheduling follow-up conferences, if needed.

HEARING

If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

If necessary, the hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. The hearing officer will be designated in a notice of prehearing conference that commences the formal hearing process.

AMERICANS WITH DISABILITIES ACT

Any scheduled conferences or hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please notify the Department no later than ten (10) days prior to the conference or hearing.

SCANNED
JUL 05 2023

Evans, Lynne

From: Evans, Lynne
Sent: Wednesday, February 22, 2023 3:37 PM
To: resortcabins@gmail.com; bryce@sawtoothlaw.com; dlargent@terracelakeswater.com; mfeldman@hollandhart.com
Subject: Protest Acknowledgment: Application for Permit No. 65-24195
Attachments: 65-24195 Protest Letter.pdf

Dear parties:

Please see the attached letter acknowledging a protest received against Application for Permit No. 65-24195.

This letter has also been sent by mail to all parties who have not requested service by email. Applicants, if you would like to receive future correspondence on this matter served via email only, please reply to this message to let me know.

Regards,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
JUL 05 2023

THE IDAHO WORLD

P.O. Box 220
Idaho City, ID 83631
(208) 202-9288
editor@idahoworld.com

RECEIVED
FEB 02 2023
WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Eileen Capson, being duly sworn, deposes and says: that she is the Publisher of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan. 4, 2023 and ending with the issue of Jan. 11, 2023.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-24194
JAIME BRAVO
8505 W BRYNWOOD DR
BOISE, ID 83704-3113
Point of Diversion L6 (NWSW) S1 T08N R05E BOISE County
Source SOUTH FORK PAYETTE RIVER Tributary NORTH FORK PAYETTE
Use: IRRIGATION
3 /15 to 10/31
0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11-26-2022
Place Of Use: IRRIGATION
T08N R05E S1 L6 (NWSW)
Total Acres: 1.3

65-24195
TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY, ID 83622-5031
Point of Diversion L4 (NWNW) S3 T09N R04E BOISE County
Point of Diversion NWNE S33 T10N R04E BOISE County
Point of Diversion SWSE S28 T10N R04E BOISE County
Point of Diversion L4 (SESE) S28 T10N R04E BOISE County
Point of Diversion L1 (NENE) S33 T10N R04E BOISE County
Point of Diversion NWNW S34 T10N R04E BOISE County
Point of Diversion NWNW S34 T10N R04E BOISE County
Point of Diversion SESW S28 T10N R04E BOISE County
Point of Diversion L4 (NWNW) S3 T09N R04E BOISE County
Point of Diversion L4 (NWNW) S4 T09N R04E BOISE County
Point of Diversion NWSE S33 T10N R04E BOISE County
Point of Diversion L3 (NESE) S33 T10N R04E BOISE County
Point of Diversion SESW S28 T10N R04E BOISE County
Source GROUND WATER Tributary
Use: COMMERCIAL
01/01 to 12/31
0.07 CFS
Total Diversion: 0.07 CFS
Date Filed: 11-29-2022
Place Of Use: COMMERCIAL
T09N R04E S3 L4 (NWNW), SWNW
Place Of Use: COMMERCIAL
T09N R04E S4 L1 (NENE), L3 (NENW), L2 (NWNE), L4 (NWNW), SWNE, L5 (SENE)
Place Of Use: COMMERCIAL
T10N R04E S28 SWSE, L4 (SESE)
Place Of Use: COMMERCIAL
T10N R04E S33 L1 (NENE), NESW, L3 (NESE), NWNE, SWNE, NWSE, SWSE, L2 (SENE), SESW, L4 (SESE)
Place Of Use: COMMERCIAL
T10N R04E S34 NENW, NWNW, SWNW, NWSW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. 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 1/23/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published in the Idaho World on 1/4/2023 and 1/11/2023.

OK
LE 2/13/23

State of Idaho)
County of Boise)

On this 10 day of J[illegible], 2023, before me, a nota[illegible] appeared Eileen Capson k[illegible] me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Shirley A. George
Notary Public for Idaho
Residing at Idaho City, Idaho
Commission Expires 6-27-2023

SHIRLEY A. GEORGE NOTARY PUBLIC Comm. 20751 STATE OF IDAHO

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FEB 21 2023

Rev. 04/2022

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RECEIVED

Filing Fee: $25.00

JAN 19 2023

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESROUCRES

NOTICE OF PROTEST

This form may be used to file a protest under Sections 42-203A, 42-203C, 42-211, 42-222 or 42-240, Idaho Code. The Department will also accept a timely protest completed in a different format if it contains the same information requested on this form. Each protestant must provide a separate $25 filing fee for each application protested. The Department's Rules of Procedure (IDAPA 37.01.01) require the protestant to **send a copy of the protest to the applicant**.

1. Matter protested. Application for ☑ Permit ☐ Amendment of Permit ☐ Transfer ☐ Exchange
   No. 65-24195 in the name of Terrace Lakes Recreation Ranch, Inc.
2. Protestant's Name: Terrace Lakes Water Company (Dennis Largent, Board President)
   Address: P.O. Box 141, Garden Valley, ID 83622
   Telephone: 208-957-3937 Email: dlargent@terracelakeswater.com
3. Protestant's Representative: Murray D. Feldman, Holland & Hart LLP
   Address: P.O Box 2527, Boise, ID 83701
   Telephone: 208-383-3921 Email: mfeldman@hollandhart.com
4. Basis of protest. Clearly state your objections to approval of the application and identify the applicable review criteria. See *Instructions for Filing a Notice of Protest* for the relevant review criteria.
   See attached sheet.

   protest

   (Additional pages may be attached to describe the basis of your protest.)

   Identify any review criteria that are not a basis for your protest:
   I.C. § 42-203A(5)(g)
5. ☑ Check here if Protestant and Representative will accept service of documents by email at the email address(es) listed under Item #2 and #3 above.

I acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter, of which I have been properly notified, the Department may issue a notice of proposed default against me in this matter for failure to appear. **I also verify that I have served a copy of this protest upon the applicant.**

Protestant's or Representative's Signature	Murray D. Feldman Printed Name and Title (if applicable)	1/19/2023 Date

FOR DEPARTMENT USE ONLY

$25.00 fee receipted by CE Receipt # W050975 Date 1/19/2023

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FEB 21 2023

Terrace Lakes Water Company, Notice of Protest of Application No. 65-24195, Item no. 4 (Basis of Protest) Additional Pages (Page 1 of 2)

4. Basis of protest. Clearly state your objections to approval of the application and identify the applicable review criteria.

a. The applicant remarks incorrectly and deficiently describe the availability of a point of diversion or distribution system by which Terrace Lakes Recreation Ranch may exercise, divert, and apply to beneficial use the applied for water right. The applicant remarks incorrectly state that "The water right will be diverted and distributed by TLWC and will have the same Points of Diversion (POD), and TLRR will continue to be served by TLWC." This is incorrect.

Not all of the properties or uses where TLRR is proposing to use or apply the water right it seeks are within the areas where TLWC is permitted to have Subscribers under its Bylaws. For instance, based on information and belief, TLRR's present and proposed uses of water for its restaurant, lounge, pro shop, swimming pool, and golf course restroom uses are outside the areas, and outside the allowed uses, where TLWC may have Subscribers. Only TLRR's motel and cabin uses are within the geographic areas where TLWC may have Subscribers, but those commercial uses of water for TLRR's motel and cabin are not within the scope of uses permitted under TLWC's water rights. *See* IDWR Letter at 2 (complete reference to this letter below).

Thus, for the majority of TLRR's preset and proposed uses described in its application, TLRR is not "served" by TLWC presently. For the majority of TLRR's present and proposed water uses as noted in its application,TLRR is not a member or Subscriber of the Terrace Lakes Water Company and does not receive water as a member or Subscriber of the Terrace Lakes Water Company, and therefore is not "served" by Terrace Lakes Water Company.

Nonetheless, for all of the uses presently applied for in TLRR's application, TLRR is taking—improperly—water from the TLWC distribution system. But as to the majority of its applied for uses as described above, TLRR's taking of such water under TLWC's water rights is not authorized by or within the scope of TLWC's water rights as confirmed by prior correspondence from IDWR dated September 7, 2022 (IDWR Letter) (copy attached). As IDWR stated in that letter, while "[e]ither TLRR or TLWC can file the application and hold the water right . . . in either case, the other entity would have to provide consent - … from TLWC to use its delivery system if TLRR files [for the water right]." IDWR Letter at 2 (emphasis added). This TLRR has not done—it has not obtained consent from TLWC to use TLWC's points of diversion or distribution system as represented in TLRR's application, nor has TLRR entered into or reached an agreement with TLWC for the use of TLWC's facilities.

In short, for the majority of its applied for water uses and water right, TLRR presently is not eligible, and may not in the future be eligible, to be served by TLWC. For all of the uses and water right applied for by TLRR, and based on the limited places of use and types of use under TLWC's water rights, as well as TLWC's operating restrictions contained in its Bylaws, TLRR may not continue to use or take water from TLWC's

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FEB 2 1 2023

water rights as indicated in the prior IDWR correspondence and as provided by applicable Idaho law. Applicable review criteria: I.C. § 42-203A(5)(a)-(f).

b. TLRR applied incorrect estimation factors in its application to determine the proposed amount of diversion and scope of the water right. For example, TLRR in its application correspondence claimed that it used "the Department's guidance document for usage for purposes of usage in the application." But the factors in the documentation TLRR provided for application item 8 do not correspond with the appropriate estimation factors listed in the Department's guidance. *See* https://idwr.idaho.gov/water-rights/water-use-information/. For example, TLRR used an estimate of 8 gallons per day (GPD) per patron for a "restaurant w/restroom" use, but IDWR's guidance indicates a range of 9-12 GPD per patron for a restaurant with bar/lounge, toilet facilities use. Thus, the appropriate use estimate should be higher in TLRR's application. While TLRR breaks out the estimated use between the restaurant with a restroom and attached bar/lounge, there is no indication why the lower range of an estimate of 10 GPD/patron overall should be applied as opposed to the higher end of the 9-12 GPD per patron range given in the Department's guidance. Next, on the cabin use, TLRR applied an estimating factor of 60 GPDs per bed space, but the cabins presumably have kitchens and other facilities beyond that of a bed in a single hotel room with a private bath, including the need for outdoor water usage, that is not accounted for in TLRR's estimate. Additionally, TLRR does not provide any estimate for its use of drinking water on its golf course, or any outdoor uses of water associated with the restaurant, pro shop, swimming pool, motel, cabins, or its other commercial uses. Thus, TLRR has incorrectly estimated potential use and likely has understated such use, and therefore understated its potential effects on the overall water supply and potential interference with TLWC's exercise of its established and senior water rights. Applicable review criteria: I.C. § 42-203A(5)(a)-(c), (e)-(f).

c. TLRR has provided incorrect place of use information in application item 9. TLRR elsewhere indicates that all of its commercial use is within Sections 33 and 34, Township 10 North, Range 4 East, and the only commercial use is associated with its clubhouse, restaurant/bar, and lodging facilities associated with its golf course, restrooms, and similar uses. *See* Water Rights Application, page 4. However, TLRR then goes on to list many other places of use including in Section 28 of Township 10 North, Range 4 East and Sections 3 and 4, Township 9 North, Range 4 East that are beyond the scope of the commercial use claimed in the application. TLRR needs to correct its application and supporting materials to correspond with the actual claimed place of use for the commercial uses applied for. Applicable review criteria: I.C. § 42-203A(5)(a)-(c), (e)-(f).

d. TLRR provides no indication or documentation of whether it has an adequate supply of water or how TLWC's water rights would be affected by the proposed amount of withdrawals and diversions for TLRR's applied for water right. Applicable review criteria: I.C. § 42-203A(5)(a)-(f).

e. There is no indication of how in times of shortage TLWC's senior water rights will be protected and TLRR's proposed junior water right would be subordinated to TLWC's water rights where TLRR is proposing to withdraw its water rights using common points

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FEB 2 1 2023

of diversion. TLRR has to identify how TLWC's use of its senior water rights will be protected and TLRR will not be taking water from the common points of diversion in such times of shortage. Applicable review criteria: I.C. § 42-203A(5)(a)-(f).

f. As noted in item a. above, for the majority of its proposed uses and diversion, TLRR is not a member or Subscriber of TLWC and TLWC's Bylaws prohibit it from serving non-Subscribers. *See* Bylaws of TLWC Section 2.1 (definition of "Subscriber"); Section 1.5 (purposes of TLWC are to "distribute water to Subscribers"). Thus, TLRR's assertions that it has been or might continue to be "served" by TLWC for all of TLRR's proposed uses and diversion are contrary to the local public interest as it conflicts with the interests of TLWC and its Subscribers who reflect the interests of the people in the area directly affected by the proposed water use by TLRR. Applicable review criteria: I.C. § 42-203A(5)(e).

g. Such other reasons as may be documented or shown at the hearing in this matter. Applicable review criteria: I.C. § 42-203A(5)(a)-(f).

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FEB 2 1 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

September 7, 2022

CHUCK STEELE
797 E 2795 S
HAGERMAN ID 83332

RE: Ground Water Use from Terrace Lakes Water Company System

Dear Mr. Steele:

This letter responds to concerns raised with staff at the Idaho Department of Water Resources (IDWR) by you and Dennis Largent[1] beginning in April 2021 regarding use of water from the Terrace Lakes Water Company (TLWC) water system by Terrace Lakes Recreational Ranch Inc (TLRR). This letter will summarize IDWR's activities and perspective in this matter and suggest potential routes forward.

During the phone conversations with IDWR staff beginning in April 2021, both you and Mr. Largent asserted that some or all of the TLRR facilities associated with the Terrace Lakes Resort are supplied with water from the TLWC water system, and that TLRR's use is not authorized by a valid water right. The initial phone conversations with staff resulted in a letter from IDWR to TLWC in early May 2022 describing the elements of TLWC's water rights. That letter did not address whether TLRR is using water from the TLWC system or whether it has any water right authorization that would allow it to do so. In late May 2022, you filed a formal complaint with IDWR asserting, "TLRR commercial water use is causing the homeowners, Terrace Lakes Water Company, to be in violation of their water rights." Subsequent to your complaint, the Department was contacted by multiple homeowners in TLWC concerned that TLWC and/or IDWR will curtail delivery to the TLRR facilities. The homeowners' concerns appear to be based on a June 1, 2022, letter from TLWC to the homeowners suggesting that TLWC may, "shut off TLRR commercial water." Further, at least one of the homeowners provided IDWR a copy of an August 24, 2022, letter sent by the TLWC attorney to TLRR stating that, "no later than December 1, 2022, TLWC will terminate the use of TLRR's use of TLWC's water rights…"

IDWR has not conducted an onsite investigation. We do not know how much water TLWC and TLRR are currently using or for what purposes, and we do not have a completely clear picture of how the water uses may have changed over time. IDWR has met with Ilene Johnson and Lonnie Bramon (associated with TLRR), and they confirmed that the TLWC system is providing water to the TLRR facilities and has been doing so for many years. IDWR has reviewed water right

[1] Although both you and Mr. Largent are members of the TLWC board of directors, it is unclear whether your communications with the Department were made on behalf of the TLWC or its board.

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FEB 2 1 2023

records for TLWC's three water rights that authorize diversion and use of ground water through the TLWC's system. Those rights describe only water uses associated with homes. Neither the applications nor the licensing examination reports describe any connection to or uses by the TLRR facilities. IDWR has identified no other recorded water right that would authorize delivery of ground water to TLRR facilities via the TLWC system.[2]

Given that the asserted use by TLRR does not appear to be authorized by a valid water right, a full investigation by IDWR under its authorities in Idaho Code could be warranted. Pursuant to Idaho Code § 42-351, enforcement action for unauthorized water use may result in civil penalties and an order to cease and desist any unauthorized uses. However, IDWR's water rights program operates with the primary goal to educate water users and to correct violations, not strictly to levy penalties. IDWR believes both TLWC and TLRR are aware that TLRR's use is potentially unauthorized and that both entities want to resolve this issue. With this in mind, an investigation by IDWR seems premature at this time.

The following list describes some potential routes to resolution, depending on a number of factors:

1. TLRR could disconnect from the TLWC system, acquire water rights as necessary to authorize its uses, and drill its own wells.
2. TLRR and TLWC could demonstrate that TLRR's use from the TLWC system is authorized by a water right. For example, TLRR could identify an existing, valid water right that authorizes the uses (if one exists), or it could pursue recognition of the historical uses through the Snake River Basin Adjudication Court by filing a claim(s) to deferred domestic use(s).
3. TLRR or TLWC can engage in the process to obtain a water right authorization to continue to use water as it is currently, either by filing an application for permit with IDWR to establish a new water right, or by acquiring (through purchase or otherwise) an existing water right and filing for a water right transfer to change the right to authorize the TLRR uses. Either TLRR or TLWC can file the application and hold the water right, recognizing that in either case, the other entity would have to provide consent - either from TLRR to hold a water right to deliver water to TLRR property if TLWC files, or from TLWC to use its delivery system if TLRR files.
4. TLWC could file an application for transfer to change a portion of the TLWC water rights to cover the TLRR use. This approach would require TLWC to cease some currently authorized use recognized on the rights to make water available for the TLRR uses.

If it would be useful, IDWR is willing to meet with TLWC and TLRR to discuss the issue and provide information about pursuing water right authorization. IDWR does not believe the situation warrants an investigation at this time, in part because it believes TLWC and TLRR are committed to resolving the issue. However, if the situation is not resolved (i.e. no water right

[2] A discussion with Mr. Bramon and Mrs. Johnson suggests the uses of ground water by the resort pre-date the establishment of the TLWC water rights and delivery system, but are not recorded because those uses were not required to be claimed in the Snake River Basin (SRBA) or Payette River Adjudications. If so, TLRR could potentially pursue a deferred claim in the SRBA.

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FEB 2 1 2023

authorization is identified or obtained and the use continues), IDWR may elect to review the matter further.

Sincerely,

Nick Miller
Manager, IDWR Western Region

Cc: Terrace lakes Water Company - PO Box 141, Garden Valley, ID 83622
Terrace Lakes Recreational Ranch Inc. – 101 Holiday Dr. Garden Valley, ID 83622

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FEB 2 1 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 29, 2022

TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY, ID 83622-5031

RE: Application for Permit No. 65-24195

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 1/4/2023 and 1/11/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

CC: S BRYCE FARRIS, SAWTOOTH LAW OFFICES PLLC

SCANNED
DEC 30 2022

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, December 29, 2022 11:01 AM
To: Idaho World Editor
Subject: Legal Notice for Application for Permit No. 65-24194, 65-24195
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho World on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 1/23/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED
DEC 30 2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-24194
JAIME BRAVO
8505 W BRYNWOOD DR
BOISE, ID 83704-3113
Point of Diversion L6 (NWSW) S1 T08N R05E BOISE County
Source SOUTH FORK PAYETTE RIVER Tributary NORTH FORK PAYETTE RIVER
Use: IRRIGATION
3 /15 to 10/31
0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11-26-2022
Place Of Use: IRRIGATION
T08N R05E S1 L6 (NWSW)
Total Acres: 1.3

65-24195
TERRACE LAKES RECREATION RANCH INC
101 HOLIDAY DR
GARDEN VALLEY, ID 83622-5031
Point of Diversion L4 (NWNW) S3 T09N R04E BOISE County
Point of Diversion NWNE S33 T10N R04E BOISE County
Point of Diversion SWSE S28 T10N R04E BOISE County
Point of Diversion L4 (SESE) S28 T10N R04E BOISE County
Point of Diversion L1 (NENE) S33 T10N R04E BOISE County
Point of Diversion NWNW S34 T10N R04E BOISE County
Point of Diversion NWNW S34 T10N R04E BOISE County
Point of Diversion SESW S28 T10N R04E BOISE County
Point of Diversion L4 (NWNW) S3 T09N R04E BOISE County
Point of Diversion L4 (NWNW) S4 T09N R04E BOISE County
Point of Diversion NWSE S33 T10N R04E BOISE County
Point of Diversion L3 (NESE) S33 T10N R04E BOISE County
Point of Diversion SESW S28 T10N R04E BOISE County
Source GROUND WATER Tributary
Use: COMMERCIAL
01/01 to 12/31
0.07 CFS
Total Diversion: 0.07 CFS
Date Filed: 11-29-2022
Place Of Use: COMMERCIAL
T09N R04E S3 L4 (NWNW), SWNW
Place Of Use: COMMERCIAL
T09N R04E S4 L1 (NENE), L3 (NENW), L2 (NWNE), L4 (NWNW), SWNE, L5 (SENE)
Place Of Use: COMMERCIAL
T10N R04E S28 SWSE, L4 (SESE)
Place Of Use: COMMERCIAL
T10N R04E S33 L1 (NENE), NESW, L3 (NESE), NWNE, SWNE, NWSE, SWSE, L2 (SENE), SESW, L4 (SESE)
Place Of Use: COMMERCIAL
T10N R04E S34 NENW, NWNW, SWNW, NWSW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. 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 1/23/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published on 1/4/2023 and 1/11/2023

SCANNED
DEC 30 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 29, 2022

TERRACE LAKES WATER CO
C/O DENNIS LARGENT
60 STARVIEW DR
GARDEN VALLEY, ID 83622-5222

RE: Application for Permit No. 65-24195

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

SCANNED
DEC 30 2022

Boise Office
1101 W. River St.
Suite 110
Boise, Idaho 83702
Tel. (208) 629-7447

Challis Office
1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office
213 Canyon Crest Drive
Suite 200
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559

SAWTOOTH LAW OFFICES, PLLC

David P. Claiborne
S. Bryce Farris
Evan T. Roth
Daniel V. Steenson
Andrew J. Waldera
Kelsea E. Donahue
Brian A. Faria
Thomas M. Larsen
Patxi Larrocea-Phillips
John A. Richards
Katie L. Vandenberg-Van Vliet
James R. Bennetts *(retired)*

Tuesday, November 29, 2022

RECEIVED
NOV 29 2022
WATER RESOURCES
WESTERN REGION

Via Hand Delivery

Nick Miller
Idaho Department of Water Resources
Western Region

RE: Terrace Lakes Recreation Ranch, Inc. – Application for Permit

Dear Nick:

Enclosed herewith please find an Application for Permit for commercial use on behalf of Terrace Lakes Recreation Ranch, Inc. (TLRR). Also, enclosed please find the filing fee for said permit in the amount of $100.00.

This Application relates to your letter dated September 7, 2022 to Chuck Steele relating to the groundwater use from the Terrace Lakes Water Company's system. As stated in your letter, you suggested in item 3 that an application for permit could be filed to establish a water right to authorizing the continued use for commercial purposes. The attached application intends to do just that. For now, TLRR has estimated its use and as explained in the application is using the Department's guidance document for usage for purposes of usage in the application. That said, TLRR reserves the right to also file a Notice of Claim in the Snake River Basin Adjudication (item 2 in your letter) once it determines its actual use and determines whether such use may meet the deferred domestic use criteria. In the meantime, please process the Application.

Thank you for your attention to the foregoing. Please feel free to contact me if you need anything, or have any questions or concerns. I am happy to meet with you or your staff should you have any questions.

Very truly yours,

S. Bryce Farris

SCANNED
DEC 30 2022

Enclosures
Cc: client
Alison C. Hunter via E-mail

SCANNED
DEC 30 2022

Nov 2020 N:/WRApplications/PermitChecklist

REVIEW CHECKLIST -- APPLICATION FOR PERMIT

Application # 63-24195 (87286) REVIEWER MW DATE _____

REQUIRED INFORMATION – COMPLETE & ACCURATE – INITIAL DE

✓ Name (corporation or partnership, names & addresses for director, officers, &/or other partners must be included – Rule 35.03.b.i) 121593 bus. entity #
✓ Address
✓ Source * (see USGS quad for source/trib names, comment for local name)
✓ P/D (10 acres for spring, lot & block info for subdivisions)
✓ County *
✓ Quantity (flow & /or storage volume)
✓ Period of use *
✓ Nature of use (list details in app. item 8 if non-irrigation)
✗ Municipal Checklist
✓ Description of diverting works
✓ Time required for beneficial use of water
✓ P/U
✓ Map (show T, R, Sect, POD & POU)
✓ Signature (need title of signatory if applicable)
✓ Correct fee paid
✓ Fee amount, receipt number, receipt date, WR #, and reviewer initials recorded on app
✓ Attach proof report & WR Layout Map
✓ AdHoc, Application tab: Status = ACTIVE ✓ Draft = NO ✓
✓ Log APPSLIST for Initial DE ✓ and Log File Location ✓

Government Lots
L4 NENE 33 10N04E P/D
L1 42C3L4C5 P/U

*____ tributary, county &/or irrigation season corrected per dept. standards w/o amended appl. per AP Memo #9

PRE-ADVERTISING ANALYSIS

YES	NO	
____	X	Bs 63 GW? Water bearing zone legal notice remark required
____	X	Bs 63 GW Restricted Area (Above Star)? Must appropriate deeper than 200' or mitigate
____	X	Bs 63 Surface water above Star & consumptive use? Cannot process unless mitigated
____	X	Mitigation plan (consumptive use & POD closed area) – legal notice remark + mitigation checklist
____	X	Critical Ground Water Area – send letter if cannot process
____	X	Ground Water Mngt. Area – send letter if cannot process
____	X	Bs 77, 78, 79 – 42-111 D/S any source or community well, normal process; all others use Salmon/Clearwater Area Processing
____	X	W&S Rv – Bs 77 or 78 + legal notice remark, W&S Workflow application record
____	X	W&S Rv – Bs 51 or 55, attach Bs 51 - 55 W&S Watersheds checklist
____	X	Water Dist. 67 – send Bs 67 June 15 cutoff form letter to confirm BU. possible prior to 6/15
____	X	Waste Water – send form letter
____	X	Trust Water – send form letter (AdHoc/Reports tab) + legal notice remark + TW checklist
____	X	South Ada Co. GW Area of Concern – send form letter
____	X	South Canyon Co. GW Area of Concern – send form letter
____	X	US BLM is POD/POU Property Owner, Verify location with Applicant and check w/ BLM

ADD INFO Requested On: _____ Response Received: Y ____ N____
Extension Requested On: _____ Response Received: Y ____ N____

_____

_____

ADVERTISING

YES	NO	
____	X	*STATEWIDE ADVERTISING* (> 10 cfs or > 1000 af storage)
____	X	Legal Notice Remarks (WB Zone, Wild & Scenic, Subdivision Info, Mitigation, etc.) – See attached proof report

COMMENT LETTERS

YES NO

_____ ___9___ Water Dist #_____
_____ ___X___ IDFG [SW "fish live-in" AP Memo #62, Bs 77-79, other] (____ reply in file)
_____ ___X___ IDEQ [Bs 77-79, Land Application, Basin Recharge, Dairy, PWS, other] (____ reply in file)
_____ _____ Western Dam Safety [Storage Dam (n/a excavated ponds); Complete checklist____]
_____ ___X___ IDWR Planning Bureau [Min. Stream Flow Bs 77-79, Protected Stream, other]
_____ ___X___ IDL [POD/POU Property Owner, other]
_____ ___X___ US BLM [POD/POU Property Owner, other]
_____ ___X___ US Forest Service [POD/POU Property Owner, other]
_____ ___X___ Irrigation Entity [Overlap GW Irr, Waste water, other]: _____
___X___ _____ Other [Previous Protestants in Area, ect.] – list here or see attached

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST Boise County

Protest Deadline 1/23/23

YES NO

___✓___ _____ Protested If Yes: Prepare protest checklist and complete
___✓___ _____ Affidavit received/published correctly? If No, Re-advertise.

Re-Adv Protest Deadline _____

YES NO

_____ _____ Protested
_____ _____ Affidavit received/published correctly If No: _____ Re-advertised & published correctly

Re-Adv Comment Letters To: _____

POST-ADVERTISING ANALYSIS

YES NO

_____ _____ POD overlap – briefly explain_____
_____ _____ POU overlap – briefly explain_____
_____ _____ Large diversion > 5 cfs, > 500 af storage or > 200 acres – attach large diversion checklist
_____ _____ Public Land Access – IDL, BLM, USFS owns POD/POU land, Rule 40.05.e info needed
_____ _____ BLM or USFS Stockwater Appl. – consider Joyce Livestock Decision – send form letter
_____ _____ Municipal – Review AP Memo #18 and/or AP Memo #74
_____ _____ Commercial, Heating/Cooling, Industrial, WQI, etc. – Rate request justified in file
_____ _____ Storage Use – AP Memo #76 complete for explanation/justification of volume request in file
_____ _____ Power residency affidavit – send power letter for other factors if needed
_____ _____ DP fee upgrade : ____ Paid ____WR & WC Files Documented ___ Not Paid = SO follow up

ADD INFO Requested On: _____ Response Received: Y ____ N____
Extension Requested On: _____ Response Received: Y ____ N____

DRAFT PERMIT

YES NO

_____ _____ W&S Rv – Bs 51, 55, 77 or 78 W&S Workflow/spreadsheet update for permit record
_____ _____ Memo To File Re:_____
_____ Draft approval created w/ Map (WRLayouts - 'Print Attachment Page') & saved to backfile

Terrace Lakes WaterCO
C/O Dennis Largent
60 Starview Dr.
Garden Valley, ID
83622-5222