

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-33707

NAME AND ADDRESS: CHARLES MADENFORD FAMILY TRUST
3605 N POLLARD LN
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ~~0.25~~ 0.10 CFS
22.8 AFY

Rights 63-33605, 63-33667, and 63-33707 when combined shall not exceed a total diversion rate of 0.10 cfs.

Right 63-33707 authorizes the diversion of an annual total of 22.8 acre-feet to be used for the initial filling of the pond and for the replacement of evaporation losses.

~~This right authorizes the diversion of an annual total of 26 acre feet to be used for the initial filling of the pond and for the replacement of evaporation losses.~~

PRIORITY DATE: 10/19/2012

POINT OF DIVERSION: T05N R01W S33 NWSW Within ADA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	~~26.0~~ <u>22.8</u> AFY
RECREATION STORAGE	01/01 12/31	~~26.0~~ <u>22.8</u> AFY
WILDLIFE STORAGE	01/01 12/31	~~26.0~~ <u>22.8</u> AFY
DIVERSION TO STORAGE	01/01 12/31	~~0.25~~ <u>0.10</u> CFS

PLACE OF USE: WILDLIFE STORAGE in ADA County
T05N R01W S33 NWSW
RECREATION STORAGE in ADA County
T05N R01W S33 NWSW
AESTHETIC STORAGE in ADA County
T05N R01W S33 NWSW
DIVERSION TO STORAGE in ADA County
~~T05N R01W S33 NWSW~~

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

~~This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit License

Parcel No. R5455720020.

The following rights are diverted through point(s) of diversion described above: 63-33605, 63-33667, and 63-33707.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Point of diversion is located within Lot 1, Blk. 1, Manteca Subdivision.

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

Storage is for one pond not to exceed a total capacity of 15 acre feet and a total surface area of 3 acres.

Any other applicable standard conditions for ground water well diversion to fill an existing excavated pond for aesthetic recreation wildlife storage with water from an existing well outside the Bs 63 Ground Water Restricted Area approximately 2 1/4 miles northeast of Star.

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.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.