State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-34080

Priority: May 08, 2015 Maximum Diversion Rate: 1.46 CFS

This is to certify, that CHRIS EMMERT
7180 BOWMONT RD
NAMPA ID 83686

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
IRRIGATION	03/01 to 11/15	1.46 CFS

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SW1/4NW1/4 Sec. 1, Twp 01N, Rge 02W, B.M. CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 02W 1						33.0	40.0										73.0
						L 4											

Total Acres: 73

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2023.**
2. Subject to all prior water rights.
3. The right holder shall submit proof of beneficial use by the due date stated in condition no. 1 but no sooner than November 1, 2022.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right, the annual surface water allotment is not yet known, the Boise Project Board of Control's annual maximum surface water allowance must be exceeded, or the surface water supply is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for irrigation entity deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 328.5 AF at the field headgate for the place of use.
9. The total volume of water diverted pursuant to this right shall not exceed 102 AF each irrigation season.
10. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
11. During each irrigation season prior to submitting proof of beneficial use, the right holder shall record the volume of water diverted for irrigation purposes each week. The right holder shall maintain the diversion records for at least ten years and shall make them available to the Department upon request.
12. Pursuant to Idaho Code § 42-701, the right holder shall annually report the quantity of water diverted pursuant to this right and shall report other pertinent hydrologic system information, as required by the Department.
13. The right holder shall mitigate for the depletion of water stored in Lake Lowell that will occur as a result of the ground water diversions authorized by this right. Prior to March 1 each year, the right holder shall make 3.0 AF of water available to the Boise Project Board of Control for diversion from the Boise River at the New York Canal for use within its member irrigation districts. The required supply of mitigation water may be rented from the Water District 63 Rental Pool or the Water Supply Bank, or it may result from the permanent transfer of a water right or portion of a water right. The right holder may arrange for the necessary mitigation water supply in multiple year increments. Each time the right holder enters into a new rental or other arrangement for the required mitigation water supply, the right holder shall give a copy of the agreement to the Boise Project Board of Control within seven days of the execution of the agreement. If the right holder does not comply with the mitigation requirement for any irrigation season, the right holder shall not divert water pursuant to this water right during that irrigation season.
14. When submitting proof of beneficial use for this right, the right holder shall attach copies of the weekly diversion volume records for the entire development period and copies of the rentals or other agreements for the required mitigation water supply for the entire development period.

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15. 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.
16. Failure of the right holder to comply with any condition of approval is cause for the Director to cancel this permit.

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

Signed this 24th day of July, 2018.

Shelley W. Keen

SHELLEY W. KEEN,
Water Allocation Bureau Chief

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July, 24, 2018

CHRIS EMMERT
7180 BOWMONT RD
NAMPA ID 83686

RE: Permit Nos. 63-34079 & 63-34080

Permit Approval Notice

Dear Permit Holder:

I have enclosed the Permits to Appropriate Water issued in connection with the April 3, 2018 final order. approving your application. If you have any questions regarding this matter, please call me at 208-287-4910.

Sincerely,

Clay Webster,
Water Rights Supervisor

Enclosure(s)

c. John M. Marshall