

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 11-07641

PRIORITY: November 11, 2001

Maximum Diversion Rate: 0.28 CFS

Maximum Diversion Volume: 10.1 AF

It is hereby certified that:

CANYON ESTATES PROPERTY OWNERS ASSN
975 CANYON ESTATES DR
FISH HAVEN ID 83287

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 8, 2001, and has submitted Proof of Beneficial Use on April 25, 2014. An examination confirms water is diverted from:

SOURCE:
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
DOMESTIC

PERIOD OF USE
01/01 to 12/31

DIVERSION RATE
0.28 CFS

ANNUAL DIVERSION VOLUME
10.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp 16S, Rge 43E, B.M. BEAR LAKE County

GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp 16S, Rge 43E, B.M. BEAR LAKE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	43E	15	X	X	X	X	X			X									

CONDITIONS OF APPROVAL

- 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.
- Domestic use is for 14 homes.
- Points of diversion are located within a 0.1 acre lot between Lots 4 & 5, Blk 1, Canyon Estates No. 1, and Lot 2, Blk 1, Canyon Estates.
- Place of use is located within Lots 1 - 4, 12 - 14, The Pointe at Canyon Estates #1; Lots 6 - 11, The Pointe at Canyon Estates #2; and Lot 15, The Pointe at Canyon Estates #3.
- The irrigation occurring under this domestic use shall not exceed 1/10 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of

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common areas or for irrigation of lots upon which homes have not been constructed.

6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder has set aside 2.4 af and 2.0 acres of water right 11-4022 for mitigation purposes. If the specified mitigation right, or portion thereof, is sold, transferred, leased, used in any other way, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation right.
8. Diversion and use of water under this right is governed by a Water Management and Operation Plan ("Plan") (last amended February 10, 2015). The Plan outlines the delivery, measurement, reporting, and mitigation requirements associated with this right. Failure of the right holder to adhere to the provisions of the Plan, including the requirement for mitigation and to have an active officer assigned to implement the Plan, is cause for the director to issue a notice of violation, cancel or revoke the right, or request that the watermaster curtail diversion and use of water. Any amendments to the Plan must be approved in writing by IDWR.
9. The Water Management and Operation Plan for Sams Hollow Water Company shall contain the following components: (a) a description of a method for forecasting flows in Fish Haven Creek using measured Fish Haven Creek data or data from a comparable basin; (b) a fixed date each year, no later than April 1, when the volume of water to be diverted under this right during the upcoming year is declared and the forecasted streamflows will be compared to projected water use within the subdivision; (c) a description of curtailment or other water conservation measures that will be employed in times of mitigation water shortages, and how water users will be notified prior to May 1 about restricted water use in the year of predicted shortage; (d) a description of how the curtailment and conservation measures will be monitored and enforced; (e) a description of the entire flow path of mitigation water, including ditches, pipes, culverts, control structures, and how the system will operate; (f) a specific description and the location of each measuring device and how each measuring device will be installed and maintained; (g) a description of the frequency of measuring, comparing, and reporting; (h) a list of those to whom the reports will be submitted; (i) the identity of the specific officer, by title, in the association or corporate organization, that will be responsible for the oversight of system operation; (j) an alternate plan for mitigation water or curtailment should statutory claim no. 11-4022 ever be curtailed by the watermaster of the Bear River; and (k) an operations manual that describes duties relative to operation, monitoring, and reporting.
10. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 29th day of September, 2017.



JAMES CEFALO
Water Resource Program Manager