

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 35-14467

Priority: May 05, 2016

Maximum Diversion Rate: 2.50 CFS
Maximum Diversion Volume: 500.8 AF

This is to certify, that GOLD EMBLEM FARMS
PO BOX 51780
IDAHO FALLS ID 83405

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.50 CFS	500.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4SW1/4 Sec. 13, Twp 03N, Rge 34E, B.M. BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 34E 13					30.8	32.3	31.5	30.4									125.0
03N 34E 14	.1			.1													.2

Total Acres: 125.2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2020**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to diversion and use of water under this right the right holder shall install and maintain an acceptable flow meter measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. 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 shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation by non-use. The mitigating right may also include a condition stating that the mitigation by non-use is for the benefit of this right.

Right No.	Use Changed to Mitigation by Non-Use	Mitigation Rate (cfs)	Mitigation Volume (AF)
35-13855	Industrial	0.70	506.8

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, 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 rights.

9. In the event the right holder does not maintain the right to use water right 35-13855 for mitigation purposes, this right shall terminate and be of no further force or effect. The right holder shall not have the right to submit a substitute mitigation plan.
10. This right may be used to irrigate the place of use described herein and may not be amended through a transfer application to authorize irrigation of lands outside of the NW $\frac{1}{4}$, Section 13 and NE $\frac{1}{4}$, Section 14, T03N, R34E, B.M..
11. The authorized point of diversion for this right is an existing well which shall be the only location used to divert water under this right. This permit does not authorize the construction of any new well.
12. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
13. This right shall remain subject to review by the director consistent with the terms and limits imposed upon trust water rights by the State and arising out of the Swan Falls Settlement. Further, this right is within a moratorium area requiring mitigation as provided below. Regulation of this right to satisfy the minimum flows of 3900 cfs from April 1 through October 31 and 5600 cfs from November 1 through March 31 measured at the Murphy gaging station shall not be required so long as mitigation is satisfied and reported to IDWR.
14. 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 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.
15. This right does not grant any right-of-way or easement across the land of another.
16. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

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This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of June, 2017.



JAMES CEFALO

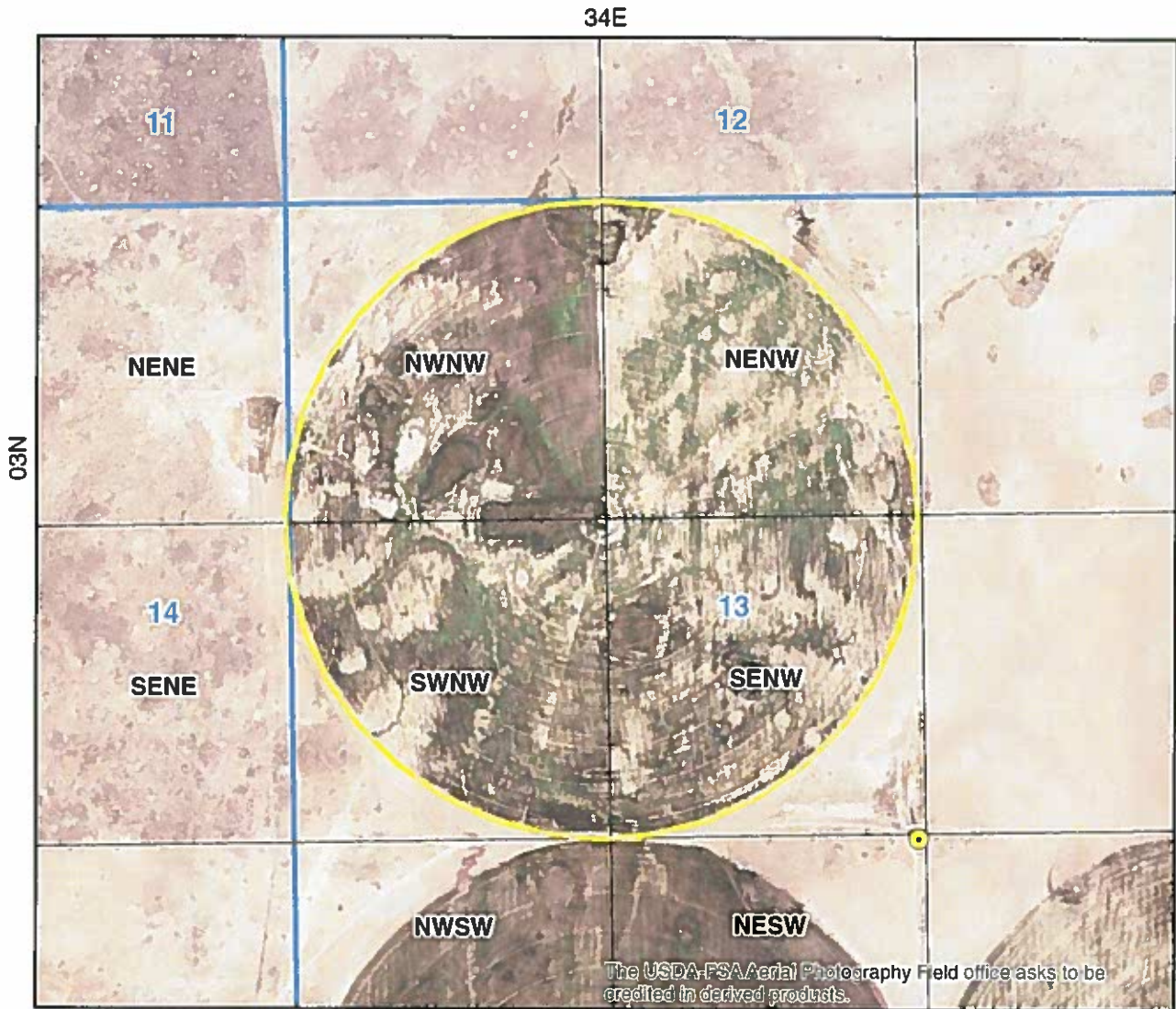
Water Resource Program Manager



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- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.075 0.15 0.3 Miles

