

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 25-14379

PRIORITY: August 13, 2012

Maximum Diversion Rate: 0.39 CFS

Maximum Diversion Volume: 23.4 AF

It is hereby certified that:

M & B INVESTMENTS LLC
6549 S 5TH WEST
IDAHO FALLS ID 83404-7633

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 13, 2012, and has submitted Proof of Beneficial Use on June 22, 2015. An examination confirms water is diverted from:

SOURCE:
GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.39 CFS	23.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE¼SW¼SW¼ Sec. 13, Twp 04N, Rge 38E, B.M. JEFFERSON County
GROUND WATER SE¼SW¼SW¼ Sec. 13, Twp 04N, Rge 38E, B.M. JEFFERSON 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	
04N	38E	13											X						

CONDITIONS OF APPROVAL

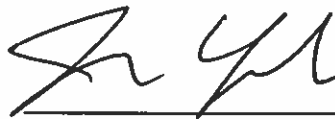
- Points of diversion are located within Lot 1, Blk. 2, Sunbrook Estates.
- Place of use is located within Lots 1-2, Blk. 1; Lots 2-22, Blk. 2; Lots 1-11, Blk. 3; and Lots 1-5, Blk. 4; Sunbrook Estates.
- The domestic use authorized under rights 25-14163 and 25-14379 is for 39 homes and shall not exceed 13,000 gallons per day per home.
- The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
- 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.

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6. 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.
7. Prior to diversion and use of water under right 25-14379, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
8. 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.
9. Each year prior to December 31, the right holder shall submit copies of the annual diversion records demonstrating that 17 shares of water from Rigby Canal and Irrigation Company, Inc. were delivered to the right holders canal headgate to mitigate impacts of diversions under this right.
10. The diversion and use of water described in right 25-14379 may be subject to additional conditions and limitations agreed to by the protestants and the right holder under a separate agreement, recorded as Instrument No. 411289 in Jefferson County, 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.
11. 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.
12. 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 26th day of August, 2016.



JAMES CEFALO
Water Resource Program Manager