

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 11-07718

Priority: November 08, 2001

Maximum Diversion Rate: 0.71 CFS
Maximum Diversion Volume: 49.2 AF

It is hereby certified that SAMS HOLLOW WATER CO
595 S RIVERWOOD PKWY STE 400
LOGAN UT 84321 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 28, 2014; and a water right has been established as follows:

SOURCE

GROUND WATER

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.71 CFS

**ANNUAL
DIVERSION VOLUME**

49.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW¼ NW¼	Sec. 11, Twp 16S, Rge 43E, B.M.	BEAR LAKE County
GROUND WATER	SW¼ SW¼	Sec. 2, 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 2									X	X	X	X			X		
16S 43E 10	X	X	X	X	X	X	X			X							
16S 43E 11			X	X	X	X		X									
			L1	L2				L2									

CONDITIONS OF APPROVAL

1. Rights 11-7491 and 11-7718 when combined shall not exceed a total diversion rate of 1.72 cfs or domestic use for 145 homes.
2. 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. 11.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
4. Domestic use is for 41 homes.

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5. 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.
6. 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.
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 a portion of water right 11-4022 for mitigation purposes.
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 right.
8. 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.

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 21st day of March, 2016.



JAMES CEFALO
Water Resources Program Manager