

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13914

Priority: February 11, 2009

Maximum Diversion Rate: 4.60 CFS
Maximum Diversion Volume: 570.2 AF

It is hereby certified that D & C PROPERTIES LLC
PO BOX 390
REXBURG ID 83440 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated February 11, 2009; and has submitted Proof of
Beneficial Use on June 29, 2015; and a water right has been established as follows:

SOURCE

GROUND WATER

BENEFICIAL USE
INDUSTRIAL

PERIOD OF USE
04/01 to 10/31

DIVERSION RATE
4.60 CFS

**ANNUAL
DIVERSION VOLUME**
570.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE¼NE¼SE¼	Sec. 30	Twp 05N	Rge 46E, B.M.	TETON County
GROUND WATER	SW¼NE¼SW¼	Sec. 30	Twp 05N	Rge 46E, B.M.	TETON County

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	46E	30									X				X		X		

CONDITIONS OF APPROVAL

1. Rights 22-13826 and 22-13914 when combined shall not exceed a total diversion rate of 4.6 cfs, and a total annual maximum diversion volume of 570.2 af.
2. Industrial use is for a gravel and sand washing facility.
3. 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.

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4. 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 purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
22-11900	Irrigation	0.01		1.0
22-7394	Irrigation	0.01	3.0	1.0

The land that will no longer be irrigated under this right is located within the NESW, Section 30, Township 5N, Range 46E, B.M.

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 permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

5. 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.

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, 2015.


for GARY SPACKMAN
Director