

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13709

Priority: February 09, 2007

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 1.6 AF

It is hereby certified that IDAHO HOLDINGS LLC
ATTN: HORACE GRAY
5004 MONUMENT AVE STE 200
RICHMOND VA 23230 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated February 09, 2007; and has submitted Proof of
Beneficial Use on December 31, 2008; and a water right has been established as follows:

SOURCE

UNNAMED STREAM
GROUND WATER

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		1.6 AF
DIVERSION TO STORAGE	04/15 to 10/15	0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM	NE¼SE¼	Sec. 33	Twp 05N	Rge 45E, B.M.	TETON County
GROUND WATER	NE¼SE¼	Sec. 33	Twp 05N	Rge 45E, B.M.	TETON County
GROUND WATER	NE¼SE¼	Sec. 33	Twp 05N	Rge 45E, B.M.	TETON County
UNNAMED STREAM	NE¼SE¼	Sec. 33	Twp 05N	Rge 45E, B.M.	TETON County

PLACE OF USE: WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	33																	X

CONDITIONS OF APPROVAL

- To prevent injury to senior surface 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 portions thereof, are being dedicated to mitigation purposes.

Mitigation Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Acres
22-13247	Irrigation	0.10	5

The land that will no longer be irrigated under this right is located within the NWSE, Section 33, Township 05N, Range 45E, 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 from the unnamed stream under this right shall be reduced by the same proportion as the reduction to the mitigation rights.

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2. 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 diversion(s).
3. The right holder shall not divert surface water from the unnamed stream when water rights with a priority date of June 19, 1920, are curtailed in the Teton River drainage.
4. Wildlife storage use is for 2 excavated ponds that shall not exceed a combined total surface area of 1/2-acre and a total combined instantaneous storage volume of 2.0 AF. The right holder may divert up to 3.0 AF of water from the unnamed stream each year to fill the ponds and to replace evaporation and seepage losses periodically. This right does not authorize a continuous flow of water through the ponds.
5. 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. 01.
6. If the right holder cannot continue to implement this mitigation plan every year for any reason, the right holder shall cease diverting water from the unnamed stream under this right or shall implement an alternative mitigation plan that has been reviewed and approved by the department.
7. 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.
8. Ground water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

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 31st day of December, 2014.


for GARY SPACKMAN
Director