

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-11238

Priority: September 22, 2003

Maximum Diversion Volume: 2.0 AF

It is hereby certified that BERT HOLLAND And/Or
LORNA HOLLAND
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 22, 2003; and has submitted
Proof of Beneficial Use on October 25, 2004; and a water right has been established as follows:

SOURCE

GROUND WATER

BENEFICIAL USE

AESTHETIC
RECREATION

PERIOD OF USE

01/01 to 12/31
01/01 to 12/31

**ANNUAL
DIVERSION VOLUME**

2.0 AF
2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼NW¼ Sec. 18 Twp 01N Rge 44E, B.M. BONNEVILLE County

PLACE OF USE: AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	44E	18					X												

PLACE OF USE: RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	44E	18					X												

CONDITIONS OF APPROVAL

- Right 23-11238 authorizes the diversion of an annual total of 2.0 acre-feet to be used for the initial filling of the ponds and the artificial stream and for the replacement of losses caused by evaporation.
- The ponds and artificial stream established by the storage of water under this right shall not exceed a total capacity of 1.9 acre-feet or a total surface area of 0.5 acres.
- If the ponds established under this right are ever refilled, the right holder shall rent 2.0 acre-feet from the Water District 01 Rental Pool in the year of the refill as mitigation for the resulting depletion to the Snake River.
- Point of diversion and place of use are located within Lots 8 and 9, Blk. 1, South Fork Cottonwood Subdivision No. 2.

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5. Water stored under this right may be 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.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 28th day of February, 2013.



for GABY SPACKMAN
Director

