

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 65-13962

Priority: September 17, 1999

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume: 9.5 AF

It is hereby certified that SIDNEY E SMITH III And KRISTINE A SMITH  
3792 W HOUSELAND CT  
EAGLE ID 83616 have complied with the terms and conditions of the  
permit, issued pursuant to Application for Permit dated July 12, 1999; and have submitted Proof of  
Beneficial Use on May 07, 2009. An examination confirms water is diverted from:

**SOURCE**

UNNAMED STREAM

**Tributary:** ROUND VALLEY CREEK

and a water right has been established as follows:

| <b><u>BENEFICIAL USE</u></b> | <b><u>PERIOD OF USE</u></b> | <b><u>DIVERSION RATE</u></b> | <b><u>ANNUAL<br/>DIVERSION VOLUME</u></b> |
|------------------------------|-----------------------------|------------------------------|-------------------------------------------|
| IRRIGATION                   | 04/15 to 10/31              | 0.02 CFS                     | 1.5 AF                                    |
| AESTHETIC STORAGE            | 01/01 to 12/31              |                              | 8.0 AF                                    |

**LOCATION OF POINT OF DIVERSION:**

UNNAMED STREAM SE1/4NE1/4 Sec. 30, Twp 12N, Rge 04E, B.M., VALLEY County

**PLACE OF USE:** IRRIGATION

| Twp              | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|------------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|                  |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12N              | 04E | 30  |    |    |    | .5 |    |    |    |    |    |    |    |    |    |    |    |    | .5     |
| Total Acres: 0.5 |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE:** AESTHETIC 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 |        |
| 12N | 04E | 30  |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Source is known locally as Cramer Creek.
2. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.5 afa at the field headgate for irrigation of the place of use.
3. 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. 65.
4. Upon notification, 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.

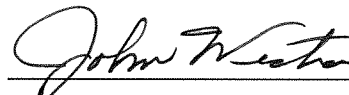
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5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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 24<sup>th</sup> day of October, 2012.



JOHN WESTRA  
Western Regional Manager