

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-32052

Priority: November 12, 2004

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 16.8 AF

It is hereby certified that TUSCANY HOMEOWNERS ASSN INC
6223 N DISCOVERY WAY STE 120
BOISE ID 83713 has complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated November 12, 2004; and has submitted Proof of
Beneficial Use on April 29, 2010. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
AESTHETIC STORAGE	01/01 to 12/31		16.8 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE1/4NW1/4	Sec. 29, Twp 03N, Rge 01E, B.M., ADA County
GROUND WATER	SE1/4NW1/4	Sec. 29, Twp 03N, Rge 01E, B.M., ADA County
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PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 01E 29					X	X	X	X									

CONDITIONS OF APPROVAL

1. 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.

Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
63-32397	Irrigation	0.05	12.6	2.8

The land that will no longer be irrigated under this right is located within the SE1/4NE1/4, S21, Twp. 01N, Rge. 01W, 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 right shall be reduced by the same proportion as the reduction to the mitigation right.

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2. Place of use under this right is also known as Tuscany Subdivision.
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. 63.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
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 10th day of August, 2012.


JOHN WESTRA
Western Regional Manager