

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07699

Priority: March 20, 1991

Maximum Diversion Rate: 2.25 CFS
Maximum Diversion Volume: 525.0 AF

It is hereby certified that KYLE BYBEE
12096 S SNAKE RIVER RD
REXBURG ID 83440 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated March 20, 1991; and has submitted Proof of
Beneficial Use on April 28, 1993; and a water right has been established as follows:

SOURCE

GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	2.25 CFS	525.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 Twp 04N Rge 40E, B.M. MADISON 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	
04N 40E 15							22.0				37.0						59.0
04N 40E 16			6.0	36.0									38.0	11.0			91.0
														L 2			

Total Acres: 150

CONDITIONS OF APPROVAL

1. 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. 100.
2. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of the permit approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
3. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
4. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

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 14th day of June, 2012.


for GARY SPACKMAN
Interim Director