

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 65-23089

WATER RIGHT NUMBER: 65-23089

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE SPRINGS RANCH LLC 519 W FRONT ST BOISE, ID 83702 (208)429-9596
Representative	SPF WATER ENGINEERING LLC C/O SCOTT KING 600 E RIVER PARK LN STE 105 BOISE, ID 83706 (208)383-4140

Priority Date: 10/06/2006

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	SOUTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 34,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW1/4NE1/4	Sec. 34,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	SW1/4NE1/4	Sec. 34,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE1/4SW1/4	Sec. 27,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE1/4SW1/4	Sec. 27,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NE1/4NE1/4	Sec. 34,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	SE1/4NE1/4	Sec. 34,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NE1/4SW1/4	Sec. 35,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW1/4SW1/4	Sec. 35,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NE1/4NW1/4	Sec. 34,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NE1/4SW1/4	Sec. 35,	Twp 09N, Rge 04E, B.M.	BOISE County
GROUND WATER	NW1/4SE1/4	Sec. 35,	Twp 09N, Rge 04E, B.M.	BOISE County

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Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	27						X	X		X	X	X	X			X		
								L 5			L 7	L 6		L 7			L 7		
09N	04E	28	X	X	X	X	X			X					X				
					L 3		L 2								L 4				
09N	04E	34	X	X	X	X	X	X		X					X	X	X	X	
				L 2		L 3													
09N	04E	35							X	X	X	X	X	X		X	X		
											L 5						L 7		

Conditions of Approval:

1. 185 The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right. The department may also waive these watermaster contact and authorization requirements for any constructed well authorized under this permit if the permit holder demonstrates that withdrawal of ground water from the well will not reduce flows in the Payette River.
2. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. 180 A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
4. 102 The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. 128 Place of use is within the area served by the public water supply system of Eagle Springs Ranch, LLC. The place of use is generally located within Sections 27, 28, 34 and 35, Township 9N, Range 4E.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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8. Water bearing zone to be appropriated is from 50 to 300 feet.
9. 134 Prior to or in connection with the proof of beneficial use statement to be submitted for municipal water use under this right, the right holder shall provide the department with documentation showing that the water supply system is being regulated by the Idaho Department of Environmental Quality as a public water supply and that it has been issued a public water supply number.
10. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
11. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
12. R05 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.

Remarks:Dates and Other Information:

Permit Proof Due Date: 6/1/2012
Permit Proof Made Date:
Permit Approved Date: 6/5/2007
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False