

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-13969

Priority: July 19, 2005

Maximum Diversion Volume: 4.0 AF

It is hereby certified that KEF PROPERTIES LLC
121 E 1900 N
CENTERVILLE UT 84014 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 19, 2005; and has
submitted Proof of Beneficial Use on December 22, 2005. An examination indicates that water has been
diverted from:

SOURCE

UNNAMED STREAM

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	4.0 AF
RECREATION STORAGE	01/01 to 12/31	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM
CASSIA County

NE1/4SW1/4

Sec. 35, Twp 12S, Rge 23E, B.M.

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	
12S 23E 35									X						X		

PLACE OF USE: RECREATION 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	
12S 23E 35									X						X		

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 4.0 acre-feet or a total surface area of 1.0 acre.

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2. 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. Moreover, the official record for the following water rights will be changed to show that diversion and use of water is not authorized because the rights, or portions thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate	Mitigation Acres
45-10017B	Irrigation	0.04	1
45-13813	Irrigation from Storage		1

The land that will no longer be irrigated under these rights is located within the NESW, Section 35, Township 12S, Range 23E, B.M.

If the specified mitigation rights, or portions thereof, are sold, transferred, leased, used on any place of use, or are not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this permit approval shall be reduced by the same proportion as the reduction to the mitigation rights.

3. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
4. 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. 140.

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 and sealed this 13th day of March, 2012.

FOR

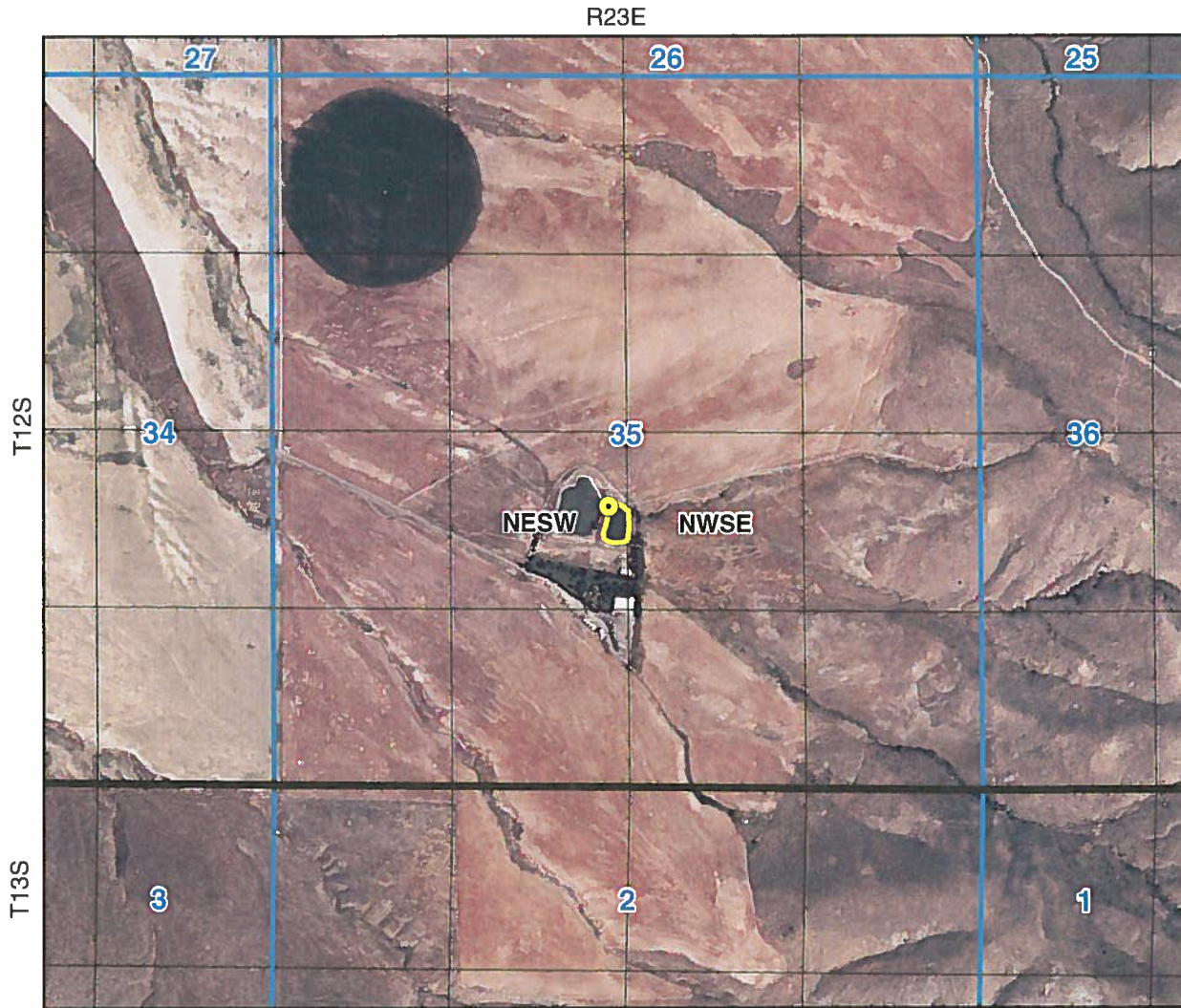

GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources

Attachment To Water Right License

45-13969

This map depicts the AESTHETIC STORAGE and RECREATION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.15 0.3 0.6 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

