

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-33084

Priority: October 09, 2008

Maximum Diversion Rate: 0.03 CFS

It is hereby certified that KIMBERLY BAILEY
8982 REFLECTION LN
MIDDLETON ID 83644 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated October 09, 2008; and has submitted Proof of
Beneficial Use on March 04, 2009. An examination confirms water is diverted from:

SOURCE

GROUND WATER

Tributary: BOISE RIVER

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>
IRRIGATION	03/01 to 11/15	0.03 CFS	
AESTHETIC STORAGE	01/01 to 12/31		3.5 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW1/4NW1/4 Sec. 10, Twp 04N, Rge 02W, B.M., CANYON 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 02W 10							1.0										1.0
Total Acres:																	1

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	
04N 02W 10							X										

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. 63, Boise River.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. The pond established by the storage of water under this right shall not exceed a total capacity of 2.7 af or a total surface area of 0.2 acre. This right authorizes the diversion and storage of 0.8 af annually to replace evaporation losses from the pond.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 4.5 af at the field headgate for the place of use.

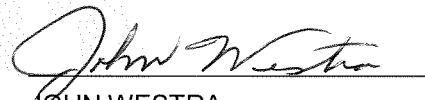
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5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this 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.
6. 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 for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
8. 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 February, 2012.



JOHN WESTRA

Western Regional Manager