

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07659

Priority: June 26, 1989

Maximum Diversion Rate: 1.13 CFS

It is hereby certified that FRANK GILLETTE
756 W HWY 81

BURLEY ID 83318 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated June 13, 1989; and has submitted Proof of
Beneficial Use on June 14, 1993. An examination confirms water is diverted from:

SOURCE

SPRINGS

Tributary: MARSH CREEK

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

1.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS NE¼SE¼SW¼ Sec. 28, Twp 10S, Rge 24E, B.M. CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	24E	28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														31.6			21.3	3.5	56.4

Total Acres: 56.4

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. 45F.
2. When notified by the Department, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 225.6 af at the field headgate for the place of use.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. If water right 45-512 is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert spring 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.

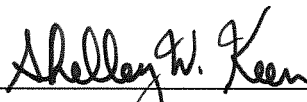
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6. The right holder shall make full beneficial use of 45-512 for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of spring water under this right to those times when 45-512 is not available or is not reasonably sufficient to irrigate the place of use authorized under this right.
7. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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 October, 2011.


for GARY SPACKMAN
Interim Director