

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. **34-07585**

Priority: April 23, 1998

Maximum Diversion Rate: 0.79 CFS

It is hereby certified that DONAHUE REVOCABLE TRUST
5448 FISH HATCHERY ROAD
MACKAY ID 83251 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 23, 1998; and has
submitted Proof of Beneficial Use on November 12, 1998. An examination indicates that the works have
a diversion capacity of 6.29 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.79 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4SE1/4 Sec. 14, Twp 08N, Rge 22E, B.M. CUSTER 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	
08N 22E 14													2.0		36.0		38.0
08N 22E 23	23.0			33.0									6.0				62.0
08N 22E 24					36.0	27.0	40.0		12.0	40.0							155.0

Total Acres: 255

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. 34.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. The following rights are diverted through point(s) of diversion described above: 34-7044, 34-7585, and 34-10562.
4. Rights 34-7044, 34-7585, and 34-10562 when combined shall not exceed a total diversion rate of 4 cfs, a total annual maximum diversion volume of 892.5 af at the field headgate, and the irrigation of 255 acres.

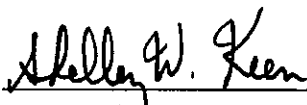
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WATER RIGHT NO. 34-07585

5. Rights 34-00583C, 34-00584F, 34-00773, 34-00774, 34-00775, 34-07044, 34-07585, 34-10562, 34-10567 and 34-10568 when combined shall not exceed the total combined diversion rate of 11.56 cfs, a total combined annual diversion volume of 1435.0 af at the field headgate, and irrigation of a combined total of 410.0 acres.
6. The right holder shall make full beneficial use of surface water rights 34-583C, 34-584F, 34-773, 34-774, 34-775, 34-10567, and 34-10568, 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.
7. If surface water rights 34-583C, 34-584F, 34-773, 34-774, 34-775, 34-10567, and 34-10568 are 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.
8. 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.
9. This right when combined with all other rights shall provide no 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 and sealed this 16th day of February, 2011.


for GARY SPACKMAN
Interim Director