

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO.      **65-23037**

**Priority:** February 16, 2006

Maximum Diversion Rate: 0.16 CFS

Maximum Diversion Volume: 36.0 AF

It is hereby certified that EMMETT SCHOOL DISTRICT #221

601 E 3RD ST

EMMETT ID 83617

has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated February 16, 2006; and has submitted Proof of Beneficial Use on May 28, 2008. An examination indicates that the works have a diversion capacity of 0.21 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> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| IRRIGATION            | 03/01 to 11/15       | 0.16 CFS              | 36.0 AF                            |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SW¼SW¼ Sec. 34, Twp 07N, Rge 02W, B.M. GEM County

**PLACE OF USE:** IRRIGATION

|             |                   |                   |                   |                   |        |  |
|-------------|-------------------|-------------------|-------------------|-------------------|--------|--|
| Twp Rge Sec | NE                | NW                | SW                | SE                |        |  |
| 07N 02W 34  | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | Totals |  |
|             |                   |                   | 8.0               |                   | 8.0    |  |

Total Acres: 8

**CONDITIONS OF APPROVAL**

1. The following rights are diverted through the point of diversion described above: 65-13886 and 65-23037.
2. Rights 65-13886 and 65-23037 when combined shall not exceed a total diversion rate of 0.21 cfs for domestic and irrigation uses.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

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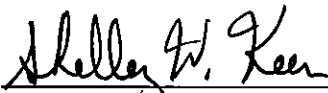
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CONDITIONS OF APPROVAL CONTINUED

5. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
6. 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 and sealed this 6<sup>th</sup> day of January, 2011.

  
for GARY SPACKMAN  
Interim Director