

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12461

Priority: July 22, 1998

Maximum Diversion Rate: 4.58 CFS
Maximum Diversion Volume: 1,030.5 AF

It is hereby certified that CITY OF BOISE
PUBLIC WORKS DEPT
PO BOX 500
BOISE ID 83701-0500 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 03, 2009; and has
submitted Proof of Beneficial Use on April 20, 2010. An examination indicates that the works have a
diversion capacity of 62.7 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/01 to 11/15

DIVERSION RATE

4.58 CFS

**ANNUAL
DIVERSION VOLUME**

1,030.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, Twp 01N, Rge 01E, B.M. ADA County
GROUND WATER NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, Twp 01N, Rge 01E, B.M. ADA 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	
01N 01E 23									30.0	35.0	40.0	40.0	31.0	33.0	40.0	40.0	289.0
01N 01E 24									32.0	33.0	40.0	33.0					138.0
01N 01E 25	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	15.0	615.0
01N 01E 26	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
01N 01E 27	40.0	40.0	40.0	40.0	32.0	32.0	36.0	40.0	8.0	2.0			40.0	40.0	40.0	40.0	470.0
01N 01E 33	40.0	40.0	40.0	40.0	40.0			40.0									240.0
01N 01E 34	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
01N 01E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0	30.0	31.0	39.0	40.0			538.0
01N 01E 36	32.0	37.0	3.0	27.0	40.0	40.0	17.0	10.0									206.0

Total Acres: 3776

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CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 229 acres within the place of use described above in a single irrigation season.
2. Rights 63-12461 and 63-12470 when combined shall not exceed a total diversion rate of 9.80 cfs, a total annual maximum diversion volume of 2317.6 af at the field headgate, and the irrigation of 595 acres.
3. The following rights are diverted through points of diversion described above: 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243, 63-9359, 63-12461, and 63-12470.
4. 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.
5. 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 right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
2-2268B	Irrigation	9.8	2317.6	579

The land that will no longer be irrigated under this right is located within the W 1/2 NE, W 1/2 SE and SW 1/4, Section 20 and W 1/2 NE, N 1/2 SW, and NW 1/4, Section 29, Township 07S, Range 13E, B.M.

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

6. 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.
7. Water bearing zone to be appropriated is 300 to 600 feet.

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 9th day of August, 2010.

Shelley W. Keen
for GARY SPACKMAN
Interim Director