

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 1-10566

Priority: September 28, 2009

Maximum Diversion Rate: 50.00 CFS

This is to certify, that SOUTHWEST IRRIGATION DIST
PO BOX 668
BURLEY ID 83318

has applied for a permit to appropriate water from:

Source: SNAKE RIVER**Tributary:** COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
GROUND WATER	01/01 to 12/31	50.00 CFS
RECHARGE		
IRRIGATION	03/15 to 11/15	50.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (SW1/4NE1/4) Sec. 20, Twp 10S, Rge 22E, B.M., CASSIA County

PLACE OF USE: GROUND WATER RECHARGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 21E 15				X													
11S 21E 26																X	
12S 21E 3									X	X							
12S 21E 4			X	X			X	X					X			X	
12S 21E 5			X	X	X	X		X									
12S 21E 9	X			X									X			X	
12S 21E 10						X	X		X	X							
12S 21E 15				X	X	X	X		X	X							
12S 21E 16	X	X		X									X		X	X	
12S 21E 21	X			X					X				X			X	
12S 21E 22						X	X		X	X							
12S 21E 27						X	X		X	X							
12S 21E 28	X			X						X			X			X	
12S 21E 33	X			X									X			X	
12S 21E 34						X	X		X	X							

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 1-10566

PLACE OF USE: GROUND WATER RECHARGE (Continued)

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	18											X						
													L 4						
13S	21E	3										X	X						
13S	21E	4	X												X			X	
			L 1																

PLACE OF USE: IRRIGATION (See Conditions of Approval)

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2015**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department and watermaster as part of the diverting works.
5. 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 01. In addition, the watermaster of state water district 140, or its successor, shall be responsible for administering the requirement that this water right must be used in lieu of ground water rights in Water District 140.
6. The right holder shall not divert and use water under this right if the natural flow in the Snake River is not sufficient to fill senior rights diverting from the Snake River as determined by the Watermaster of Water District 01.
7. Place of use for irrigation is 137,598 acres within the boundary of Southwest Irrigation District service area pursuant to Section 43-323, Idaho Code.
8. The boundary encompassing the place of use for irrigation under this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
9. This right is limited to use on land with valid ground water irrigation right(s) and does not authorize irrigation of land not already irrigated with ground water. The water user shall not divert water under the appurtenant ground water irrigation right(s) when receiving water for irrigation under this right.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 1-10566

CONDITIONS OF APPROVAL CONTINUED

11. Prior to diverting and using water pursuant to this right, the right holder shall identify the land to be irrigated with water diverted pursuant to this right by submitting a land list and a representative electronic shape file or by submitting a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. In addition, the right holder shall submit a list of ground water irrigation rights that will not be used when water is being delivered pursuant to this right. Before changing the land to be irrigated pursuant to this right, the right holder shall submit a new land list, representative electronic shape file or map, and list of ground water irrigation rights to the Department prior to the irrigation season in which the change will occur.
12. When submitting proof of beneficial use for this right, the right holder shall also submit a set of detailed maps and/or electronic shape file showing the land actually irrigated with water diverted pursuant to this right in each irrigation season during the authorized development period.
13. Noncompliance with any condition of this right is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
14. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.
15. Prior to the diversion and use of water under this right for ground water recharge, the right holder shall install and maintain acceptable measuring devices at the points of injection.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of April, 2010.

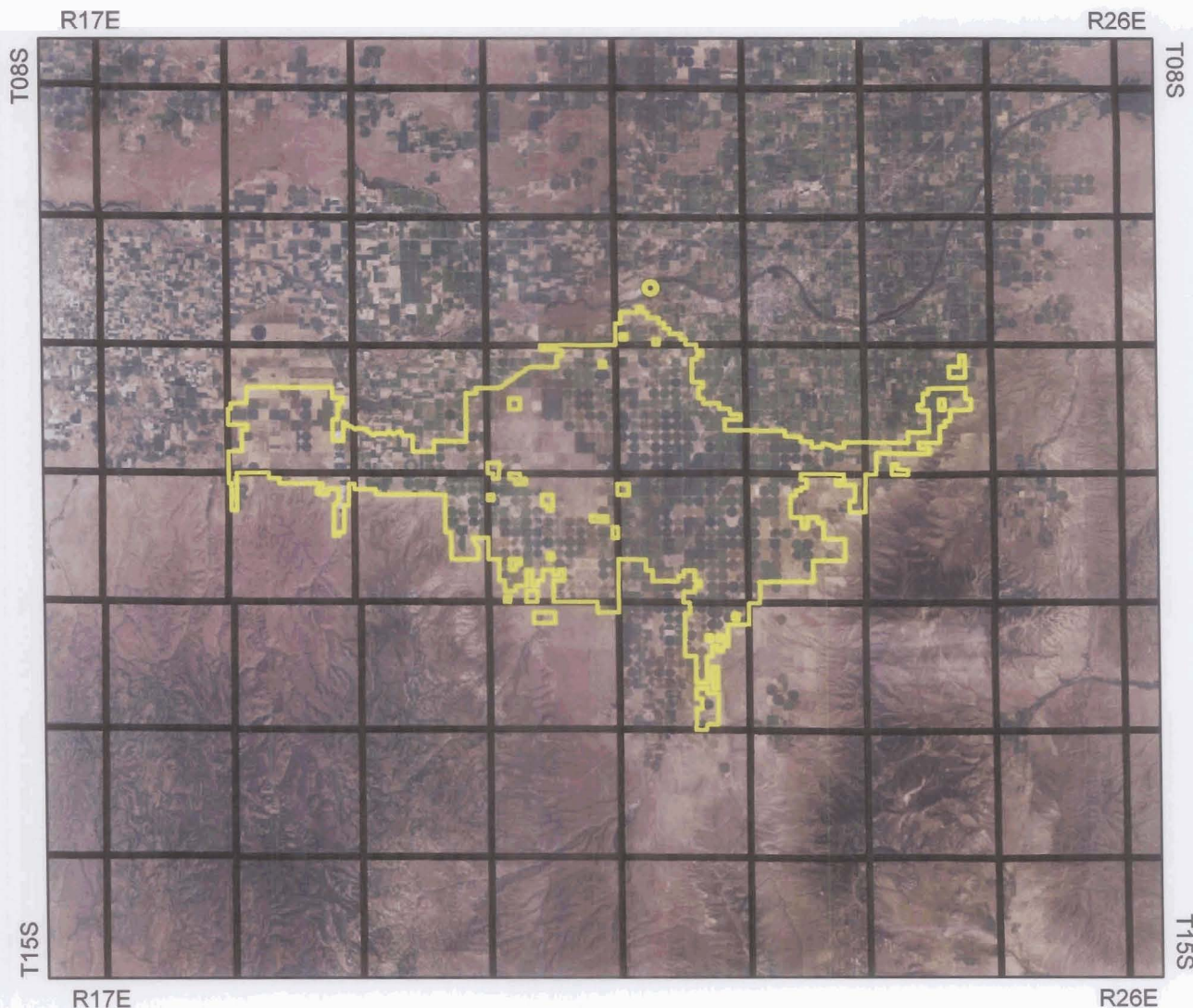

FOR GARY SPACKMAN, Interim Director

State of Idaho
Department of Water Resources

Permit to Appropriate Water

1-10566

Water Service Area Boundary for Southwest Irrigation Dist



0 5 10 20 Miles

Legend

- Point of Diversion
- Place Of Use Boundary
- Townships

