

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 34-07239A

Priority: January 22, 1980

Maximum Diversion Rate: 2.12 CFS

It is hereby certified that JOHN L POWERS TRUST
PO BOX 493
MACKAY ID 83251 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated January 22, 1980 has submitted
Proof of Beneficial Use on February 22, 1994. An examination indicates that the works have a diversion
capacity of 2.12 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

2.12 CFS

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, Twp 07N, Rge 24E, 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	
07N 24E 21									18.0			25.0	6.0	17.0	7.0		73.0
07N 24E 22											2.0						2.0
07N 24E 27			25.0		11.0	36.0	36.0	39.0	2.0								149.0
07N 24E 28	39.0	19.0		17.0													75.0

Total Acres: 299

CONDITIONS OF APPROVAL

1. Rights 34-440B and 34-7239A when combined shall not exceed a total annual maximum diversion volume of 1078.0 af at the field headgate and the irrigation of 308 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall make full beneficial use of Right 34-440B for irrigation of 283 acres of land authorized to be irrigated under this right. The right holder shall limit the diversion of ground water to irrigate more than 16 acres under this right to those times when Right 34-440B is not available or Right 34-440B is not reasonably sufficient to irrigate 283 acres of its place of use that correspond to the place of use for this right.

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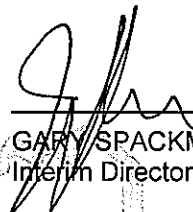
CONDITIONS OF APPROVAL

4. If Right 34-440B is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used to irrigate more than 16 acres without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 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 and sealed this 1st day of March, 2010.

For


GARY SPACKMAN
Interim Director

