

Maximum Diversion Rate: 0.02 CFS

has applied for a permit to appropriate water from:

Tributary: BOISE RIVER

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

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (NW¼NW¼) Sec. 13, Twp 04N, Rge 01W, B.M. ADA County

PLACE OF USE: RECREATION STORAGE, AESTHETIC STORAGE

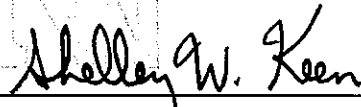
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State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-12459

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Recreation storage and aesthetic storage uses are for a pond.
5. The pond established by the storage of water under this right shall not exceed a total capacity of 11 acre-feet or a total surface area of 1 acre.
6. To offset the depletion of water resulting from the use of water under this right, the right holder shall, in cooperation with the owner of Right 63-234, divert 0.02 cfs and an annual diversion volume of 3.5 af for recreation storage and aesthetic storage as authorized by Transfer 66706. If the right holder cannot continue to implement this mitigation plan every year for any reason, the right holder shall immediately implement an alternative mitigation plan approved by the Department.
7. 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. 63.
8. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
9. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground-water level.
10. Water bearing zone to be appropriated is not known due to the age of the well.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of November, 2009.


for GARY SPACKMAN, Interim Director