

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12311

Priority: January 26, 1996

Maximum Diversion Rate: 0.29 CFS

It is hereby certified that CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated January 26, 1996; and has
submitted Proof of Beneficial Use on July 01, 2009. An examination indicates that the works have a
diversion capacity of 0.29 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 DIVERSION VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.29 CFS	
AESTHETIC STORAGE	01/01 to 12/31		5.0 AF
IRRIGATION	03/01 to 11/15	0.29 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE¼SE¼ Sec. 29, Twp 04N, Rge 01E, B.M. ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 29																X	

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 29																	30.0

Total Acres: 30

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 135 af at the field headgate for the lands above.

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CONDITIONS OF APPROVAL CONTINUED

4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right and for storage of water in the pond authorized under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. The pond established by the storage of water under this right shall not exceed a total capacity of 5.0 af or a total surface area of 1.0 acre.
8. For irrigation purposes, rights 63-230M and 63-12311 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 135 af at the field headgate, and the irrigation of 30 acres.
9. For aesthetic storage purposes, rights 63-230M and 63-12311 when combined shall not exceed the annual diversion volume of 5 af.
10. Aesthetic storage is for a pond located within the McDevitt Sports Complex.
11. To prevent injury to prior water rights appropriating water from the Boise River and/or the underlying shallow aquifer to the Boise River, the well used as a point of diversion for this water right located within Section 29, Township 04N, Range 01E, SESESE shall be constructed and maintained with imperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.

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 3rd day of August, 2009.


for GARY SPACKMAN
Interim Director