

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-07878

Priority: October 17, 1991

Maximum Diversion Rate: 40.00 CFS
Maximum Diversion Volume: 870.0 AF

It is hereby certified that LITTLE WEISER IRRIGATION DIST
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 17, 1991; and has
submitted Proof of Beneficial Use on June 14, 2002. An examination indicates that the works have a
diversion capacity of 54.3 cfs of water from:

SOURCE

LITTLE WEISER RIVER

Tributary: WEISER RIVER

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>
IRRIGATION STORAGE	01/01 to 12/31		870.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		870.0 AF
DIVERSION TO STORAGE	04/15 to 05/30	40.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE WEISER RIVER ADAMS County SE1/4NW1/4 Sec. 36, Twp 14N, Rge 01W, B.M.

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 26									X	X							
14N 01W 27	X	X	X	X			X	X	X		X	X	X	X	X	X	
14N 01W 34	X	X			X	X											
14N 01W 35					X	X											

PLACE OF USE: IRRIGATION FROM STORAGE (see conditions of approval).

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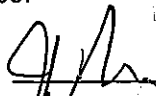
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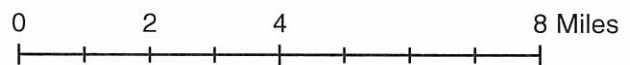
CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. Place of use for irrigation from storage is within the boundary of the Little Weiser Irrigation District pursuant to Section 43-323, Idaho Code.
3. The boundary encompassing the place of use for irrigation from storage for this water right is described with a digital boundary 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 irrigation from storage place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67A.
5. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right is limited to the irrigation of 6041.5 acres within the place of use described above in a single irrigation season.
8. Rights 67-7878 and 67-2385 when combined shall not exceed the irrigation of 6041.5 acres.
9. Right 67-2385 is also diverted through the point(s) of diversion described above.
10. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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 10th day of June, 2009.


for **DAVID R. TUTHILL, JR.**
Director



 Place Of Use Boundary
 Townships
 PLS Sections
 Quarter Quarters

