

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08171

Priority: November 30, 2000

Maximum Diversion Rate: 3.21 CFS

It is hereby certified that CITY OF AMERICAN FALLS
550 N OREGON TL
AMERICAN FALLS ID 83211 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 11, 1996; and has
submitted Proof of Beneficial Use on November 30, 2000. An examination indicates that the works have
a diversion capacity of 14.92 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>
MUNICIPAL	01/01 to 12/31	3.21 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 21, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 32, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 08S, Rge 31E, B.M.	POWER County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 08S, Rge 31E, B.M.	POWER County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 08S, Rge 31E, B.M.	POWER County

PLACE OF USE: MUNICIPAL

See Conditions of Approval.

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. Place of use is within the service area of the City of American Falls municipal water supply system as provided for under Idaho Law.
3. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
4. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

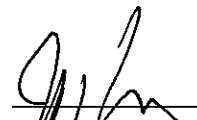
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6. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
7. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
8. 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 determine the amount of water diverted from power records and shall annually report the information to the department.
9. 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. 120.

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 22nd day of April, 2009.

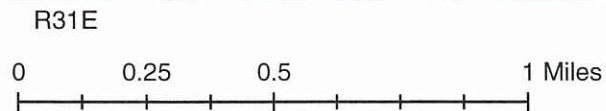
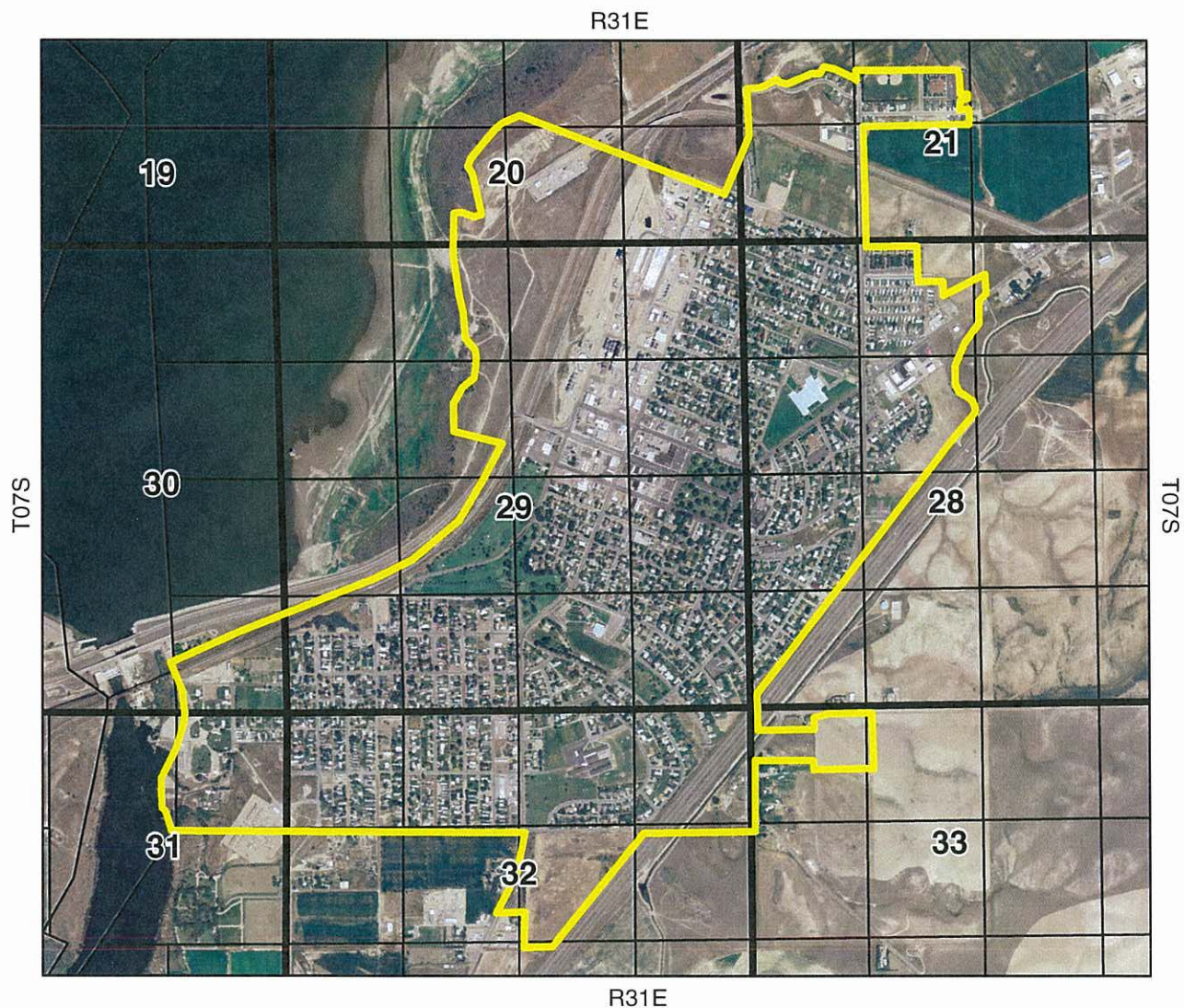

for DAVID R. TUTHILL, JR.
Director

State of Idaho
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Water Service Area Boundary for City Of American Falls

April 9, 2009



Legend

-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

