

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 94-07394

Priority: October 23, 2003

Maximum Diversion Rate: 0.20 CFS  
Maximum Diversion Volume: 31.4 AF

It is hereby certified that KEN SMITH

S 15170 BULL RUN RD

CATALDO ID 83810 has complied with the terms and conditions of the permit,  
issued pursuant to Application for Permit dated October 23, 2003; and has submitted Proof of Beneficial  
Use on August 20, 2004. An examination indicates that the works have a diversion capacity of 0.20 cfs of  
water from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

**BENEFICIAL USE**

**PERIOD OF USE**

**DIVERSION RATE**

**ANNUAL  
DIVERSION VOLUME**

|                      |                |          |         |
|----------------------|----------------|----------|---------|
| DOMESTIC             | 01/01 to 12/31 | 0.04 CFS | 1.2 AF  |
| IRRIGATION           | 03/15 to 11/15 | 0.20 CFS | 21.0 AF |
| DIVERSION TO STORAGE | 01/01 to 12/31 | 0.20 CFS |         |
| RECREATION STORAGE   | 01/01 to 12/31 |          | 9.2 AF  |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER L11 (SW1/4NE1/4), Sec. 4, Twp 48N, Rge 01W, B.M., KOOTENAI County

GROUND WATER L11 (SW1/4NE1/4), Sec. 4, Twp 48N, Rge 01W, B.M., KOOTENAI County

**PLACE OF USE: DOMESTIC**

| Twp | Rge | Sec | NE | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|------|----|----|----|----|----|----|----|----|----|----|--------|
| 48N | 01W | 4   |    | X    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    | L 11 |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE: IRRIGATION**

| Twp | Rge | Sec | NE | NW   | SW  | SE | NE | NW | SW   | SE   | NE | NW | SW   | SE | Totals |
|-----|-----|-----|----|------|-----|----|----|----|------|------|----|----|------|----|--------|
| 48N | 01W | 4   |    |      | 3.1 |    |    |    | 1.3  | .8   |    |    | 1.8  |    | 7.0    |
|     |     |     |    | L 11 |     |    |    |    | L 11 | L 11 |    |    | L 11 |    |        |

Total Acres: 7

**PLACE OF USE: RECREATION STORAGE**

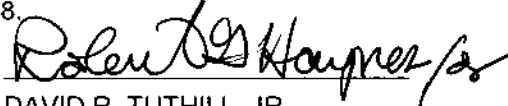
| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW   | SE | NE | NW | SW   | SE | Totals |
|-----|-----|-----|----|----|----|----|----|----|------|----|----|----|------|----|--------|
| 48N | 01W | 4   |    |    |    |    |    |    | X    |    |    |    | X    |    |        |
|     |     |     |    |    |    |    |    |    | L 11 |    |    |    | L 11 |    |        |

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.

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 11<sup>th</sup> day of March, 2008.

  
DAVID R. TUTHILL, JR.  
Director