

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

WATER RIGHT NO. 96-09140

**Priority:** June 19, 2003

Maximum Diversion Rate: 0.08 CFS  
Maximum Diversion Volume: 18.9 AF

It is hereby certified that J HANK HESTER And JANET HESTER  
C/O EDWIN B HOLMES, ATTORNEY  
PO BOX 909  
COEUR D ALENE ID 83816-0909 have complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated June 19, 2003; and have  
submitted Proof of Beneficial Use on July 23, 2004. An examination indicates that the works have a  
diversion capacity of 0.08 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>
DOMESTIC	01/01 to 12/31	0.08 CFS	5.4 AF
IRRIGATION	04/01 to 10/31	0.08 CFS	13.5 AF

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

GROUND WATER NE1/4NW1/4 Sec. 13, Twp 53N, Rge 04W, B.M

KOOTENAI County

**PLACE OF USE:** DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N 04W 13					X	X	X	X									

**PLACE OF USE:** IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N 04W 13					2.0	1.5	5	5									4.5

Total Acres: 4.5

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**CONDITIONS OF APPROVAL**

1. Domestic use is for 9 homes. Irrigation of lawn, garden and landscaping associated with the homes is authorized under the irrigation component of this right.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
3. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for 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 6<sup>th</sup> day of March, 2008.

  
for DAVID R. TUTHILL, JR.  
Director