

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12550

Priority: October 12, 1999

Maximum Diversion Rate: 5.00 CFS
Maximum Diversion Volume: 3,620.0 AF

It is hereby certified that ROBERT HOROWITZ &/Or RICHARD PORTER
6225 N MEEKER PL STE 200
BOISE ID 83713

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 12, 1999; and has submitted Proof of Beneficial Use on March 27, 2001. An examination indicates that the works have a diversion capacity of 5.0 cfs of water from:

SOURCE

BOISE RIVER

Tributary: SNAKE 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>
AESTHETIC	01/01 to 12/31	5.00 CFS	3,620 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER NE ¼ SE ¼ Sec. 15, Twp 04N, Rge 02W, B.M. CANYON County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 15			X				X	X			X			X	X		

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. 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).
3. Use of water under this right shall be non-consumptive. At such time in the future as the Director determines necessary to protect the prior rights of other users, the Director may require determination of the rate of loss within the system using a procedure approved by the Director, and may require mitigation for all system losses.

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4. Water will be diverted under this right from the river through the headgate which delivers water for irrigation under Right 63-31049. Water shall be discharged back into the river in the NWSW, S15, T4N, R2W.
5. Water shall not be diverted under this right at any time that the flow of the Boise River, including water released from storage under Right 63-03618 for streamflow maintenance purposes, falls below 240.0 cfs as measured at the Glenwood Bridge.

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 4th day of February, 2008.


For DAVID R. TUTHILL, JR.
Director