

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 22-13717

Priority: May 11, 2007

Maximum Diversion Rate: 3.00 CFS

This is to certify, that CITY OF VICTOR
PO BOX 122
VICTOR ID 83455-0122

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼NE¼ Sec. 19, Twp 03N, Rge 46E, B.M. TETON County

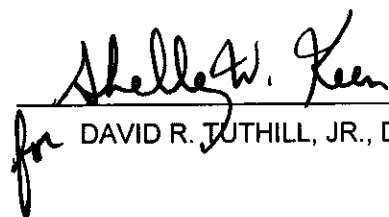
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2009**.
2. Subject to all prior water rights.
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. Place of use is within the service area of the City of Victor municipal water supply system as provided for under Idaho Law.
5. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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8. In connection with the proof of beneficial use submitted for this permit, the permit holder shall also submit a report showing the total annual volume, the maximum daily volume, and the maximum instantaneous rate of flow diverted from the point of diversion authorized for this permit during the development period. The report shall also show the maximum instantaneous rate of diversion, either measured or reasonably estimated by a qualified professional engineer, geologist, or certified water rights examiner, for the entire City of Victor municipal water system. The report shall also describe and explain how water diverted under this permit provides an additional increment of beneficial use of water for the City of Victor municipal water system as opposed to an alternative point of diversion for prior water rights already held and used by the City of Victor for its municipal water system.
9. 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.
10. 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.
11. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
12. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15th day of October, 2007.


for DAVID R. TUTHILL, JR., Director

Permit to Appropriate Water

October 5, 2007



Sections