

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-22713

Priority: August 02, 2002

Maximum Diversion Rate: 0.11 CFS
Maximum Diversion Volume: 22.5 AF

It is hereby certified that FAULL RANCH ESTATES OWNERS ASSN INC
PO BOX 88
HORSESHOE BEND ID 83629 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 02, 2002; and has
submitted Proof of Beneficial Use on August 11, 2003. An examination indicates that the works have a
diversion capacity of 0.27 cfs of water from:

SOURCE

PAYETTE 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>
IRRIGATION	03/15 to 10/31	0.11 CFS	22.5 AF

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER L1 (NW1/4NE1/4NW1/4) Sec. 11, Twp 07N, Rge 02E, B.M.
BOISE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 02E 2																5.0	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. 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. 65.
3. Place of use is located within Lot OP2, Parcel # RP07N02E028850A, Faull Ranch Subdivision.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. Rights 65-2858A, 65-2858B, 65-9417A, 65-9147B, 65-22725, and 65-10963 are also diverted through the point(s) of diversion described above.

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6. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
7. Rights 65-22713, and 65-3803C when combined shall not exceed a total diversion rate of 0.55 cfs, and the irrigation of 24 acres.
8. A lockable device subject to the approval of the Department shall be maintained on the branch line originating from the main water line, in a manner that will provide the watermaster suitable control of the use of water under this right independent of the other water rights also diverted through the main water line.
9. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water 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 25th day of September, 2007.



DAVID R. TUTHILL, JR.
Director