

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12113

Priority: April 25, 1994

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume: 18.0 AF

It is hereby certified that RONALD STUTHEIT
28900 HEXON RD
PARMA ID 83660-6604

And/Or

SHARON STUTHEIT
28900 HEXON RD
PARMA ID 83660-6604 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated April 25, 1994; and has submitted Proof of Beneficial Use on November 21, 2000. An examination indicates that the works have a diversion capacity of 0.86 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>
IRRIGATION	03/01 to 11/15	0.12 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER NE1/4NW1/4SW1/4 Sec. 8, Twp 05N, Rge 05W, B.M.
CANYON County

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	
05N 05W 8																	4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.
2. Point of diversion is located in slough known locally as Kallarney Slough.

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3. 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.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. 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. 63.
7. Right 63-276C is also diverted through the point of diversion described above.

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 17th day of September, 2007.



DAVID R. TUTHILL, JR.
Director