

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 47-17435

Priority: September 15, 2006

Maximum Diversion Rate: 3.35 CFS

This is to certify, that CITY OF KIMBERLY
PO BOX Z
KIMBERLY ID 83341

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	3.35 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, Twp 10S, Rge 18E, B.M. TWIN FALLS County

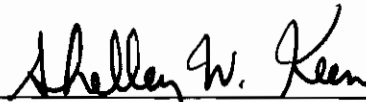
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2009**.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
4. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. 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.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
8. 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.

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9. 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 Kimberly 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 Kimberly municipal water system as opposed to an alternative point of diversion for prior water rights already held and used by the City of Kimberly for its municipal water system.
10. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
11. Place of use is within the service area of the City of Kimberly municipal water supply system as provided for under Idaho Law.
12. 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.
13. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of April, 2007.

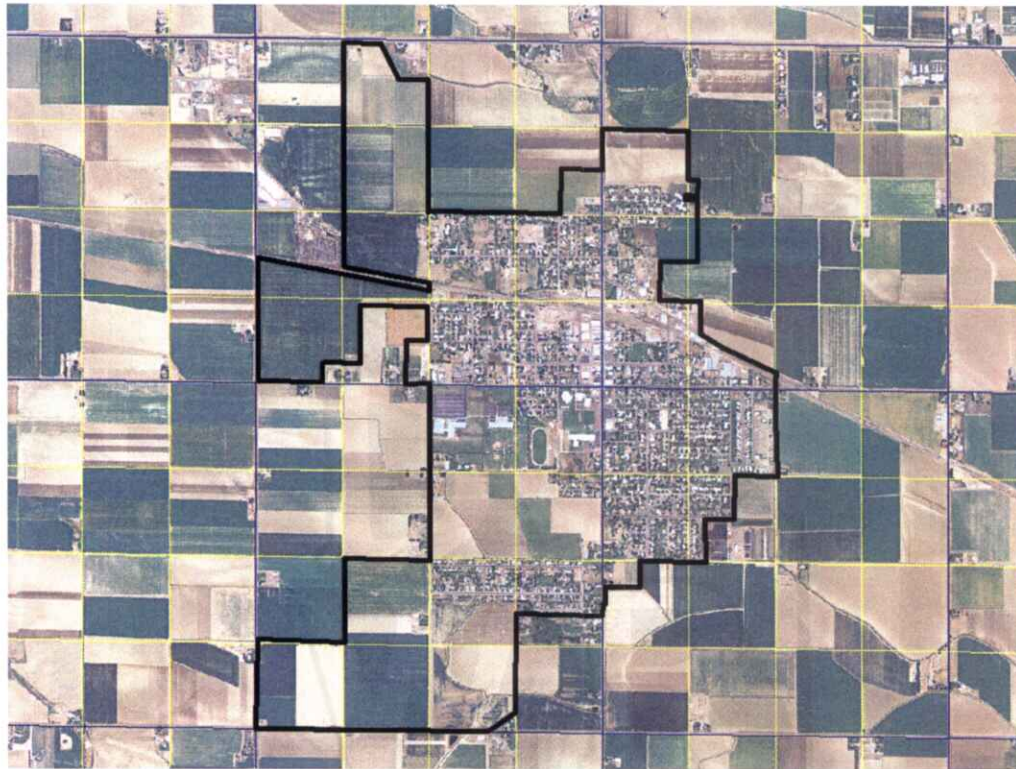

for DAVID R. TOTHILL, JR., Director

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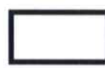
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Digital Boundary for City of Kimberly

April 26, 2007



0.5 0 0.5 1 Miles

 47-8320.shp
 Sections
 QQ

