

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 41-07081

Priority: February 28, 1990

Maximum Diversion Rate: 6.68 CFS
Maximum Diversion Volume: 1,389.0 AF

It is hereby certified that TIMOTHY P DEEG
2597 DEEG RD
AMERICAN FALLS ID 83211 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 28, 1990; and has
submitted Proof of Beneficial Use on June 09, 1994. An examination indicates that the works have a
diversion capacity of 6.68 cfs of water from:

SOURCE

GROUND WATER

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	04/01 to 10/31	6.68 CFS	1,389.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW¼SE¼	Sec. 6, Twp 09S, Rge 31E, B.M., POWER County
GROUND WATER	SW¼SE¼	Sec. 6, Twp 09S, Rge 31E, B.M., POWER 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	
09S 30E 1			1.7	2.6					37.0			38.0	39.0	39.0	39.0	34.0	230.3
09S 31E 6							13.0		36.0	21.0	18.0	29.0					117.0
							L 5				L 6	L 7					

Total Acres: 347.3

CONDITIONS OF APPROVAL

1. Rights 41-7076 and 41-7081 when combined shall not exceed a total diversion rate of 6.68 cfs.
2. Rights 41-7030, 41-7034, 41-7071, 41-7076 and 41-7081 when combined for irrigation, shall not exceed a total diversion rate of 10.02 cfs, and the irrigation of 814.3 acres.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

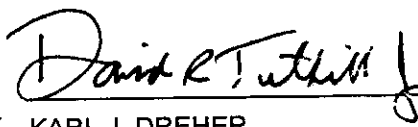
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6. Rights 41-7030, 41-7034, 41-7071 and 41-7076 are also diverted through the points of diversion described above.
7. This right does not grant any right-of-way or easement across the land of another.

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 11th day of July, 2006.


for **KARL J. DREHER**
Director