

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 25-14163

Priority: December 09, 2004

Maximum Diversion Rate: 0.30 CFS

This is to certify, that M&B INVESTMENTS LLC
665 S WOODRUFF AVE
IDAHO FALLS ID 83401

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>
DOMESTIC	01/01 to 12/31	0.30 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SE¼SW¼SW¼ Sec. 13, Twp 04N, Rge 38E, B.M., JEFFERSON County
GROUND WATER SE¼SW¼SW¼ Sec. 13, Twp 04N, Rge 38E, B.M., JEFFERSON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 38E 13											X						

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2010**.
2. Subject to all prior water rights.
3. 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.
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. Domestic use is for the in-house use at a 39 home subdivision (Sunbrook Estates) and does not include lawn, garden, landscape, or other types of irrigation.
6. Irrigation water for lawns, gardens, landscaping, and common areas is provided by a separate surface water system with appurtenant canal shares of the Rigby Canal & Irrigating Company, Inc. (stock certificate no. 606, issued on 10/15/2003).
7. The right holder shall provide copies of as-built drawings or design maps of the surface water irrigation system to the Department to maintain with the water right file.
8. Prior to the diversion and use of water under this right, the right holder shall install and maintain an acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications.
9. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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10. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
11. Points of diversion are located within Lot 1, Blk. 2, Sunbrook Estates.
12. Place of use is located within Lots 1-2, Blk. 1; Lots 2-22, Blk. 2; Lots 1-11, Blk. 3; and Lots 1-5, Blk. 4; Sunbrook Estates.
13. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of April, 2005.


FOR KARL J DREHER, Director