

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-21355

Priority: September 23, 2004

Maximum Diversion Rate: 1.37 CFS

This is to certify, that CAREY WATER & SEWER DISTRICT
PO BOX 187
CAREY ID 83320

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	1.37 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NW¼NW¼NE¼ Sec. 34, Twp 01S, Rge 21E, B.M., BLAINE County
GROUND WATER	SW¼NW¼ Sec. 22, Twp 01S, Rge 21E, B.M., BLAINE County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2007**.
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. Prior to any diversion and use of water under this water right, the right holder shall (1) provide evidence of participation in a mitigation plan, approved by the director, and administered by a ground water district or other recognized organization, or (2) provide individual mitigation approved by the director.
6. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
7. Place of use is within the service area of Carey Water and Sewer District as provided for under Idaho law. The place of use is generally described as located within Sections 22, 27, 33, and 34 in Township 1S, Range 21E, and within Section 3, Township 2S, Range 21E.
8. 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. 130.
9. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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10. 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.
11. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
12. 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.
13. This right does not grant any right-of-way or easement across the land of another.
14. 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 15th day of February, 2005.


FOR _____
KARL J DREHER, Director