

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 35-13522

Priority: November 18, 2004

Maximum Diversion Rate: 0.45 CFS

This is to certify, that ROLLING HILLS DEVELOPMENT
PO BOX 465
RIGBY ID 83442

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	0.45 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Twp 04N, Rge 37E, B.M., JEFFERSON County
GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Twp 04N, Rge 37E, 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 37E 34	X	X		X													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2006**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Domestic use is for the in-house use at a 94 home subdivision (Rolling Hills Subdivision) and does not include lawn, garden, landscape, or other types of irrigation.
5. Irrigation water for lawns, gardens, landscaping, and common areas is provided by a separate pressurized surface water system with appurtenant canal shares of the Butte & Market Lake Canal Company (stock certificate no. 1137, issued on 8/5/98).
6. The applicant 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.
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications.
8. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
9. 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. 120.
10. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.

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11. 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.
12. 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 22nd day of April, 2005.


FOR KARL J DREHER, Director