

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-11859

Priority: June 10, 1992

Maximum Diversion Rate: 0.48 CFS
Maximum Diversion Volume: 108.0 AF

It is hereby certified that JULIA TOMLINSON Or
FLOYD TOMLINSON
2629 TRACK RD
MELBA ID 83641 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 10, 1992; and has
submitted Proof of Beneficial Use on February 12, 1996. An examination indicates that the works have
a diversion capacity of 1.21 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	03/01 to 11/15	0.48 CFS	108.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, Twp 01N, Rge 02W, B.M. CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 02W 23								24.0									24.0

Total Acres: 24

CONDITIONS OF APPROVAL

1. Water bearing zone to be appropriated is 162 to 216 and 431 to 435 feet.
2. Right 63-11088 is also diverted through the point of diversion described above.
3. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 108 af at the field headgate for the lands above.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 63-11859 and 63-11088 when combined shall not exceed a total diversion rate of 1.21 cfs.

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 22nd day of November, 2004.


for **KARL J. DREHER**
Director