

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 63-31662

Priority: March 12, 2003

Maximum Diversion Rate: 0.46 CFS

This is to certify, that RICHARD J MURGOITIO And/Or  
LOUIS P MURGOITIO  
7373 S MAPLE GROVE RD  
BOISE ID 83709

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> |
|-----------------------|----------------------|--------------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.46 CFS                 |
| COMMERCIAL            | 01/01 to 12/31       | 0.08 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NW¼NW¼, Sec. 12, Twp 02N, Rge 01E, B.M., ADA County

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N 01E 12  |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |        |
| 03N 01E 1   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |

**PLACE OF USE:** COMMERCIAL, same as Stockwater

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2004**.
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. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
5. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

MICROFILMED

SEP 09 2003

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 63-31662

8. The water bearing zone is 99 to 152 feet.
9. Stockwater use is for 113 dairy cows.
10. Commercial use is for a dairy.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7<sup>th</sup> day of July, 2003.

  
for KARL J DREHER, Director

MICROFILMED

SEP 09 2003