

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34106

Priority: December 10, 2015

Maximum Diversion Volume: 33.1 AF

It is hereby certified that:

TIM HUNIHAN 10055 GABICA ST MIDDLETON ID 83644-5752

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 20, 2015, and has submitted Proof of Beneficial Use on January 19, 2021. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Annual Volume
IRRIGATION STORAGE	03/01 to 11/15	17.5 AF
IRRIGATION FROM STORAGE	03/01 to 11/15	17.5 AF
RECREATION STORAGE	01/01 to 12/31	15.6 AF

Location of Point(s) of Diversion

GROUND WATER L1(SE¼ SE¼), Sec. 8, Twp 04N, Rge 02W, B.M. CANYON County

Place of Use: IRRIGATION STORAGE and RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	8																X L1	

Place of Use: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	8																3.5 L1	3.5

Total Acres: 3.5

Conditions of Approval

1. Right 63-34106 authorizes the storage of an annual total of 33.1 acre-feet, 12.0 acre-feet to be used for the initial filling or carryover storage of the pond, 3.6 acre-feet for the replacement of losses due to evaporation, and up to 17.5 acre-feet for additional refills for irrigation from storage use.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 12.0 acre-feet or a total surface area of 1.2 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 15.8 af at the field headgate for the place of use.
4. This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.

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5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
7. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Idaho Code § 42-219. 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 this 23rd day of May, 2023.



PHILL HUMMER
Water Rights Supervisor

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State of Idaho
Department of Water Resources
Attachment to Water Right License
63-34106

This map depicts the IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles

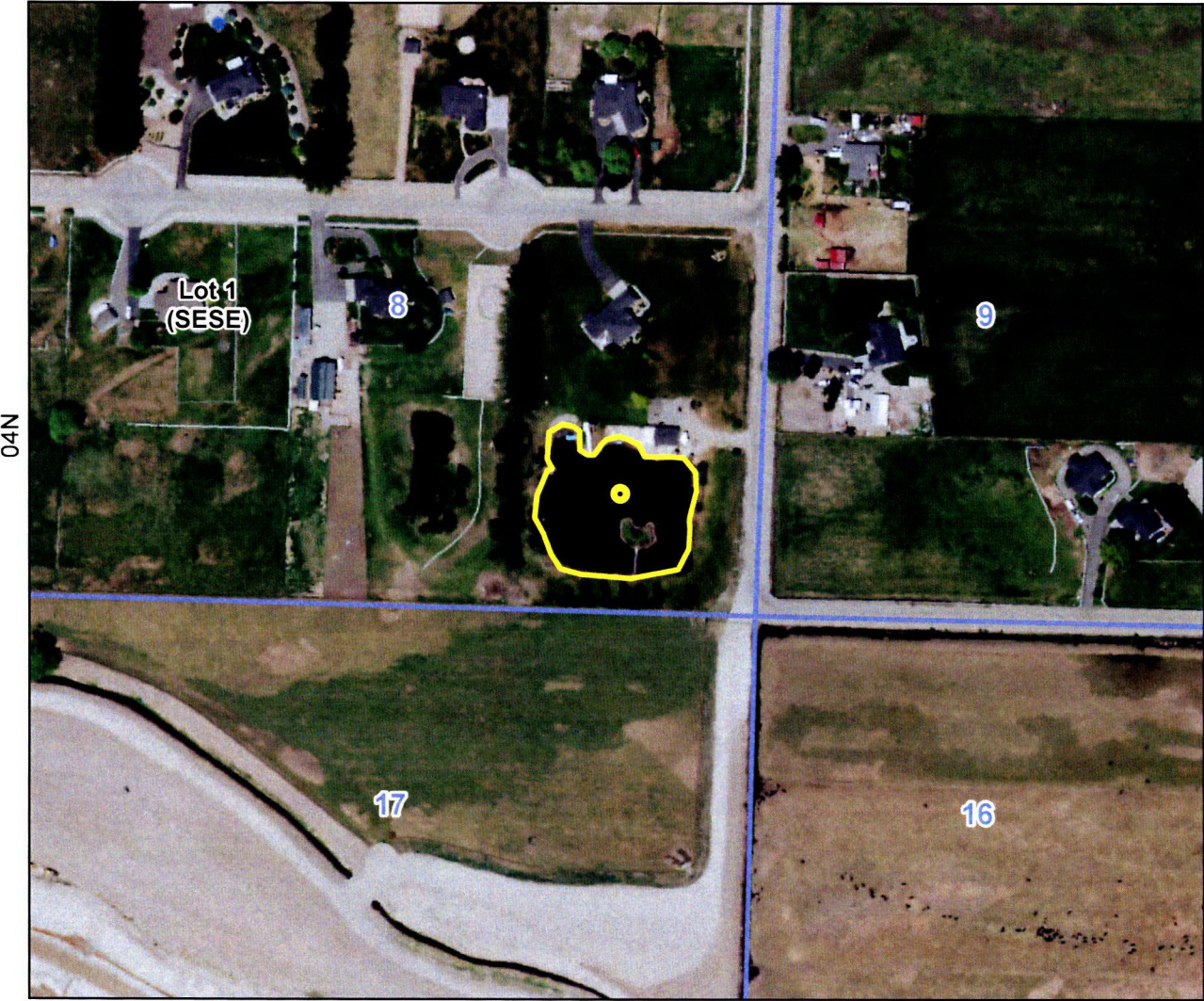


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This map depicts the IRRIGATION STORAGE and RECREATION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W



- Point of Diversion
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0 0.035 0.07 0.14 Miles



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JUN 01 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 02, 2023

TIM HUNIHAN
10055 GABICA ST
MIDDLETON ID 83644-5752

RE: License No. 63-34106

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Phill Hummer
Water Rights Supervisor

Enclosure(s)

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JUN 11 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 02, 2023, I served a true and correct copy of Water Right License No. 63-34106 by U.S. Mail, postage prepaid, to the following:

TIM HUNIHAN (Current Owner)
10055 GABICA ST
MIDDLETON ID 83644-5752

WATER DISTRICT #63
MIKE MEYERS (Watermaster)
PO BOX 767
STAR ID 83669-4500



Sidney Palmer
Technical Records Specialist 1

MEMORANDUM

Date: April 26, 2022
To: WR No. 63-34106
From: Shilynn Novak
Re: Communication Memo and Volume Clarification

A depth of the pond was not obtained during the 2021 beneficial use field examination. Mr. Hunihan was contacted via email on April 25, 2022 with a request for the deepest part of his pond so that an average could be determined. He called shortly after receiving the email and stated that between the development period (2016 and 2021) there was a part of his pond that reached 25 feet deep.

To determine the average pond depth, the maximum depth is multiplied by 0.4. In this case the average depth would be 10 feet; $25 \text{ ft} \times 0.4 = \underline{10 \text{ ft}}$.

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