

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-33415

Priority: September 27, 2010

Maximum Diversion Rate: 2.98 CFS

It is hereby certified that:

D YAMAMOTO DEVELOPMENT LLC 5255 W HUBBARD RD KUNA ID 83634

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 19, 2010, and has submitted Proof of Beneficial Use on August 09, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use

IRRIGATION

Period of Use

03/01 to 11/15

Rate of Diversion

2.98 CFS

Location of Point(s) of Diversion

GROUND WATER SW¼ SW¼, Sec. 5, Twp 01N, Rge 01E, B.M. ADA County

GROUND WATER SE¼ SE¼, Sec. 5, Twp 01N, Rge 01E, B.M. ADA County

GROUND WATER NW¼ SW¼, Sec. 5, Twp 01N, Rge 01E, B.M. ADA County

GROUND WATER NE¼ NW¼, Sec. 8, Twp 01N, Rge 01E, B.M. ADA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	5			40.0			37.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	474.0
								L4											
01N	01E	8					40.0	40.0	39.0	35.0									154.0

Total Acres: 628.0

Conditions of Approval

1. Rights 63-12009, 63-3126, 63-3167, 63-7286 and 63-33415 when combined shall not exceed a total annual maximum diversion volume of 3771 af at the field headgate, and the irrigation of 838 acres.
2. 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 2826 af at the field headgate for the place of use.
3. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
4. 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

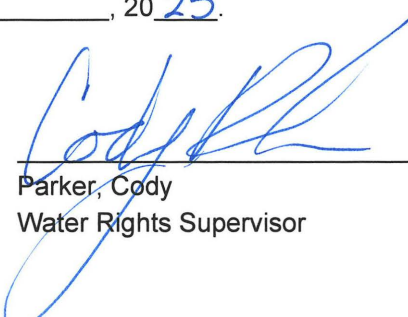
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intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

5. Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
6. The right holder shall install a measuring device acceptable to the Department at the point of diversion authorized under this right. The measuring device shall be capable of displaying diversion flow rate and totalized volume measurement. The right holder shall record the flow rate and volume measurements monthly for any calendar year in which water is diverted and used in connection with this right until notified by the Department. The records shall be made available to the Department upon request.
7. One point of diversion (well) authorized for this right shall include a measuring device or other suitable method to allow measurement of the static water level in the well. Water level measurements shall be made monthly throughout the year from the beginning of the diversion and use of water in connection with this right until notified by the Department. The records shall be made available to the Department upon request.
8. If the Department determines, based on credible evidence, measurement reports, area data, or otherwise, there is a substantial likelihood that diversion and use of groundwater under this right is causing material injury to any senior water right(s), the Department may issue an order to the right holder to show cause why existing diversions should not be reduced under the permit, forego additional diversions, or provide adequate mitigation to remedy any such material injury. Any senior water user alleging material injury may petition the Department to commence a show cause hearing, and the Department shall conduct a hearing.
9. Water bearing zone to be appropriated is from 250 to 400 feet.
10. 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.

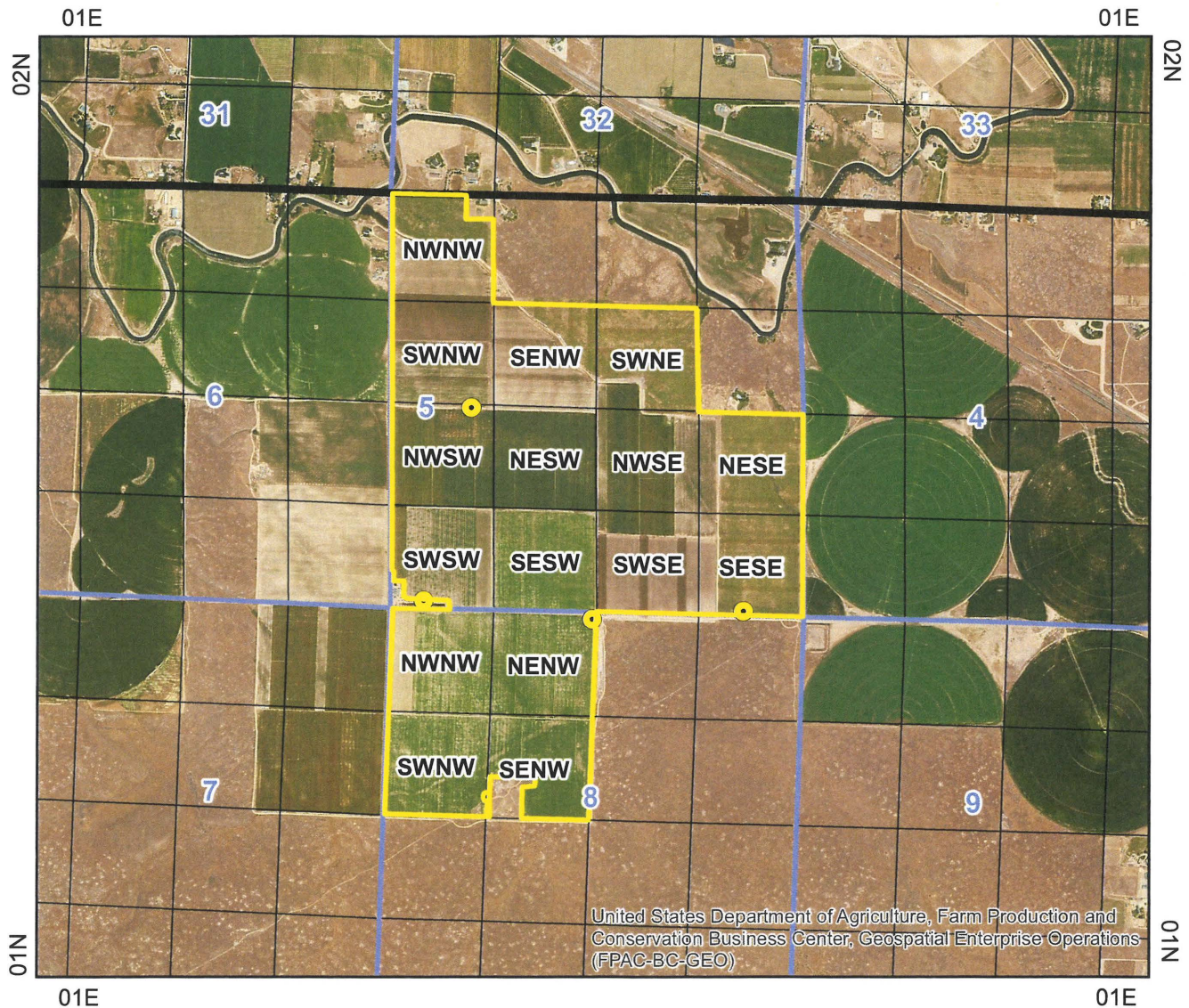
Signed this 25 day of June, 2025.



Parker, Cody
Water Rights Supervisor

State of Idaho
Department of Water Resources
Attachment to Water Right
63-33415

This map depicts the IRRIGATION 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.



0 0.275 0.55 1.1 Miles

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





IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

June 27, 2025

D YAMAMOTO DEVELOPMENT LLC
5255 W HUBBARD RD
KUNA ID 83634

RE: License No. 63-33415

ISSUANCE OF LICENSE

Dear Water Right Holder:

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, please contact me at 208-605-4629.

Sincerely,


Susan E. Hobson

for

Cody Parker
Water Rights Supervisor

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2025, I served a true and correct copy of Water Right License No. 63-33415 by U.S. Mail, postage prepaid, to the following:

D YAMAMOTO DEVELOPMENT LLC (Current Owner)
5255 W HUBBARD RD
KUNA ID 83634



Susy Hobson
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.