

Southern

State of Idaho
Department of Water Resources
Water Right License

RECEIVED
MAR 03 2000
Department of Water Resources
Southern Division

WATER RIGHT NO. 36-08089

Priority: June 2, 1982

Maximum Diversion Rate: 120.20 CFS

Maximum Diversion Volume: 87022.1 AF

This is to certify, that FISHERIES DEVELOPMENT CO

1301 VISTA AVE

BOISE ID 83705

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 2, 1982; and has submitted Proof of Beneficial Use on March 31, 1994. An examination indicates that the works have a diversion capacity of 120.200 cfs of water from:

BILLINGSLEY CREEK

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	120.20 CFS	87022.1 AF

LOCATION OF POINT(S) OF DIVERSION: SENENE, Sec. 13, Township 07S, Range 13E
GOODING County

PLACE OF USE: POWER

TWN RGE SEC

07S 13E 13

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CONDITIONS OF APPROVAL AND REMARKS

1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. Use of water under this right shall be non-consumptive.
3. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 36A.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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Department of Water Resources

Water Right License

WATER RIGHT NO. 36-08089

CONDITIONS OF APPROVAL AND REMARKS

6. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after March 31, 2030. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
7. Rights 36-07725 and 36-08089 when combined shall not exceed a total diversion rate of 120.2 cfs and a total annual maximum diversion volume of 87022.1 af.
8. Right 36-07725 is also diverted through the point of diversion described above.
9. Sufficient water shall be left undiverted from Billingsley Creek so that the flow of water in Billingsley Creek between the point of diversion and the point where water is returned to the creek is at least twenty-five (25) cubic feet per second.

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 29TH day of FEBRUARY, 2000.

Acting for

KARL J. DREHER, Director

State of Idaho
Department of Water Resources

AMENDED

Water Right License

AMENDED

WATER RIGHT NO. 36-08089

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Department of Water Resources
Southern Region

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POWER	01/01 to 12/31	120.20 CFS	87022.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SENENE , Sec. 13, Township 07S, Range 13E
GOODING County

PLACE OF USE: POWER

TWN RGE SEC

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4. Use of water under this water right will be regulated by the watermaster of State Water District No. 36A.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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Department of Water Resources

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WATER RIGHT NO. 36-08089

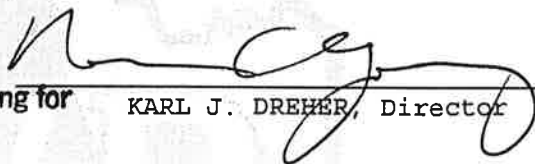
CONDITIONS OF APPROVAL AND REMARKS

6. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after March 31, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
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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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 7th day of

FEBRUARY, 2000.

Acting for


KARL J. DREHER, Director

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Department of Water Resources
Water Right License

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OCT 01 1999

Department of Water Resources
Southern Region

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LOCATION OF POINT(S) OF DIVERSION: SENENE , Sec. 13, Township 07S, Range 13E
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4. Use of water under this water right will be regulated by the watermaster of State Water District No. 36A.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

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Department of Water Resources

Water Right License

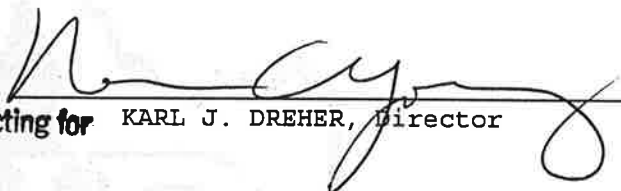
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This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 28th day of

September, 1999


Acting for KARL J. DREHER, Director