

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 63-34392

Priority: May 25, 2017

Maximum Diversion Rate: 0.25 CFS

This is to certify that

DAHL SHEEP LLC 1036 E IRON EAGLE DR STE 100 EAGLE ID 83616

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>
IRRIGATION	03/01 to 11/15	0.20 CFS
STOCKWATER	01/01 to 12/31	0.01 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion

GROUND WATER SE¼ NE¼, Sec. 16, Twp 05N, Rge 01W, 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	
05N	01W	16				10.0													10.0

Total Acres: 10.0

Place of Use: STOCKWATER and DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	16				X													

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2024**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Any well used or constructed under this water right shall include a measuring tube or other suitable method to allow measurement of water levels. The right holder shall allow access to the well(s) by the Idaho Department of Water Resources or its representative to collect data as needed.
6. Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
7. The well used as a point of diversion for this water right shall be drilled using the direct mud rotary drilling method. The well driller shall monitor water temperatures while drilling the well. If water with a

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 63-34392

temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions and established standards for construction with the driller.

8. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Point of diversion and place of use is located within Lot 7, Blk. 1, Moose on the Loose Subdivision.
10. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
11. Stockwater use is for 25 head of mixed stock.
12. 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.
13. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
14. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 18th day of JULY, 2019.



NICK MILLER
Engineer, Manager 2

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

63-34392

This map depicts the 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.

01W



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

0 0.035 0.07 0.14 Miles





Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Gary Spackman
Director

July 18, 2019

DAHL SHEEP LLC
1036 E IRON EAGLE DR STE 100
EAGLE ID 83616

RE: Permit Nos. 63-34386 – 63-34399 & 63-34423

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued 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.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna Kail".

For Nick Miller
Engineer, Manager 2

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2019, I served a true and correct copy of Permit to Appropriate Water No. 63-34389 by U.S. Mail, postage prepaid, to the following:

DAHL SHEEP LLC (Current Owner)
1036 E IRON EAGLE DR STE 100
EAGLE ID 83616

CANDICE M MC HUGH (Attorney)
MC HUGH BROMLEY PLLC
380 S 4TH ST STE 103
BOISE ID 83702

CHRIS M BROMLEY (Attorney)
MC HUGH BROMLEY PLLC
380 S 4TH ST STE 103
BOISE ID 83702

MELVIN RAWLINSON (Protestant)
9030 W GREENWILLOW LN
EAGLE ID 83616

M3 EAGLE LLC (Protestant)
GIVENS PURSLEY LLP
C/O MICHAEL P LAWRENCE
601 W BANNOCK ST
PO BOX 2720
BOISE ID 83701-2720

A handwritten signature in blue ink, appearing to read 'Anna Kaiser', is written over a horizontal line.

Anna Kaiser
Administrative Assistant 1