

NO. 37-22951

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 8.0 AF

has applied for a permit to appropriate water from:

and a permit is **APPROVED** for development of water as follows:

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW1/4NE1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County		
GROUND WATER	NW1/4NE1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County		

PLACE OF USE: COMMERCIAL FROM STORAGE

[illegible]

PLACE OF USE: COMMERCIAL STORAGE

[illegible]

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PLACE OF USE: FIRE PROTECTION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 17E 24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2021**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
6. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
7. Right 37-22951 authorizes a total annual storage volume of 8.0 acre-feet to be used for the initial filling of the reservoir, for the replacement of losses caused by evaporation from the reservoir, and for the storage of water for commercial purposes and fire protection.
8. The reservoir established by the storage of water under this right shall not exceed a total capacity of 2.4 acre-feet.
9. The right holder shall install and maintain an impermeable liner in the reservoir to eliminate seepage losses.
10. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
11. Use of water pursuant to this right is either nonconsumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right. Regulation of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required.

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12. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

	Use Changed	Mitigation	Mitigation	Mitigation
Right No.	to Mitigation	Rate (cfs)	Volume (AF)	Acres
37-4332	Irrigation	0.03	7.0	1.0
37-4332	Domestic	0.04		

The domestic uses and land that will no longer be irrigated under this right are located within the SESE, Lot 4, Section 13, Township 04N, Range 17E, B.M..

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

13. This right does not grant any right-of-way or easement across the land of another.
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.
15. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
16. Commercial use is for snowmaking.
17. Points of diversion are located within Parcel E of the Sage Springs Subdivision.
18. Place of use is located within Parcels B and D of the Sage Springs Subdivision.

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

Dated this 22nd day of March, 2016.



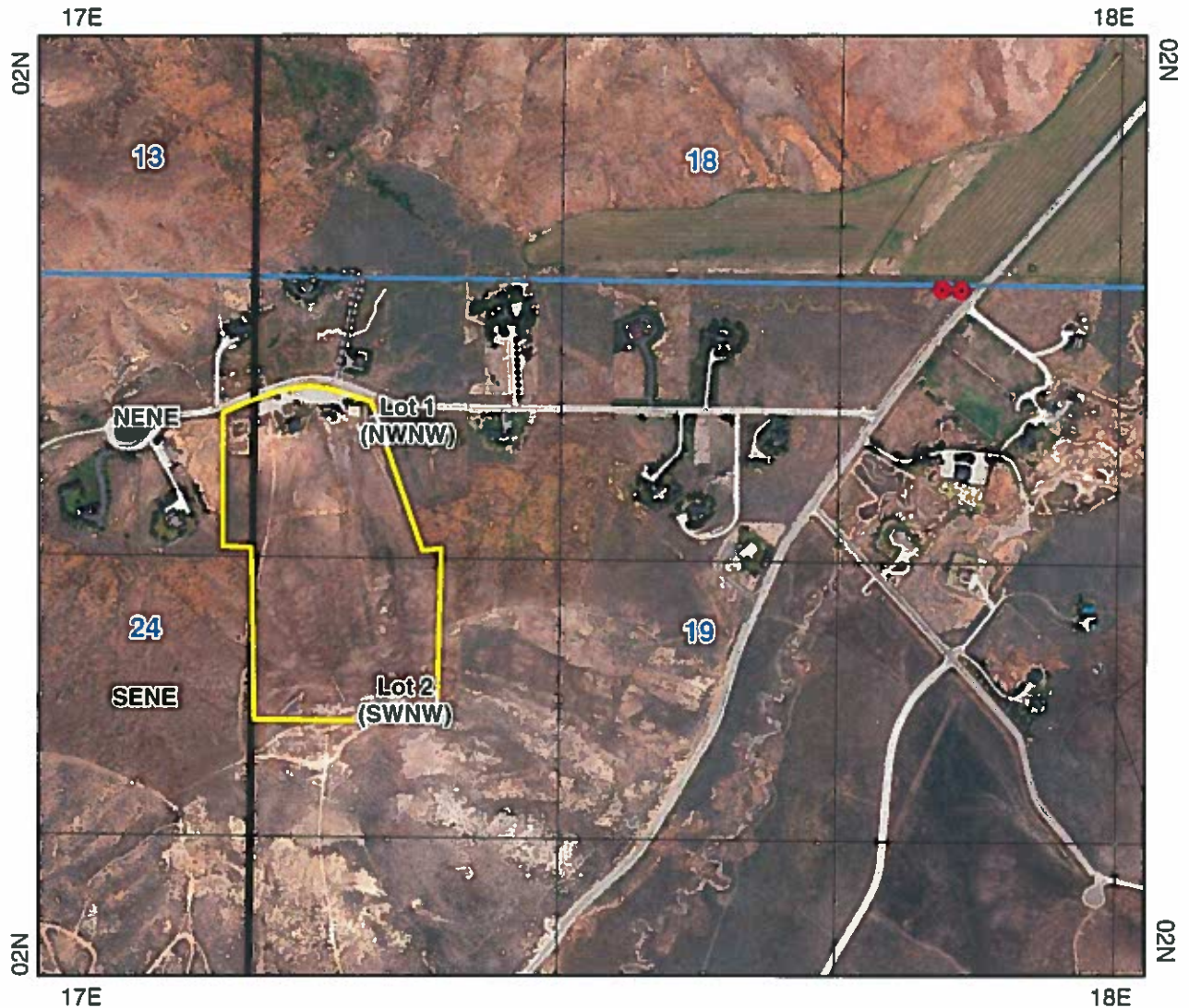
ALLEN MERRITT
Southern Region Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

37-22951

This map depicts the COMMERCIAL 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.



0 0.1 0.2 0.4 Miles

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

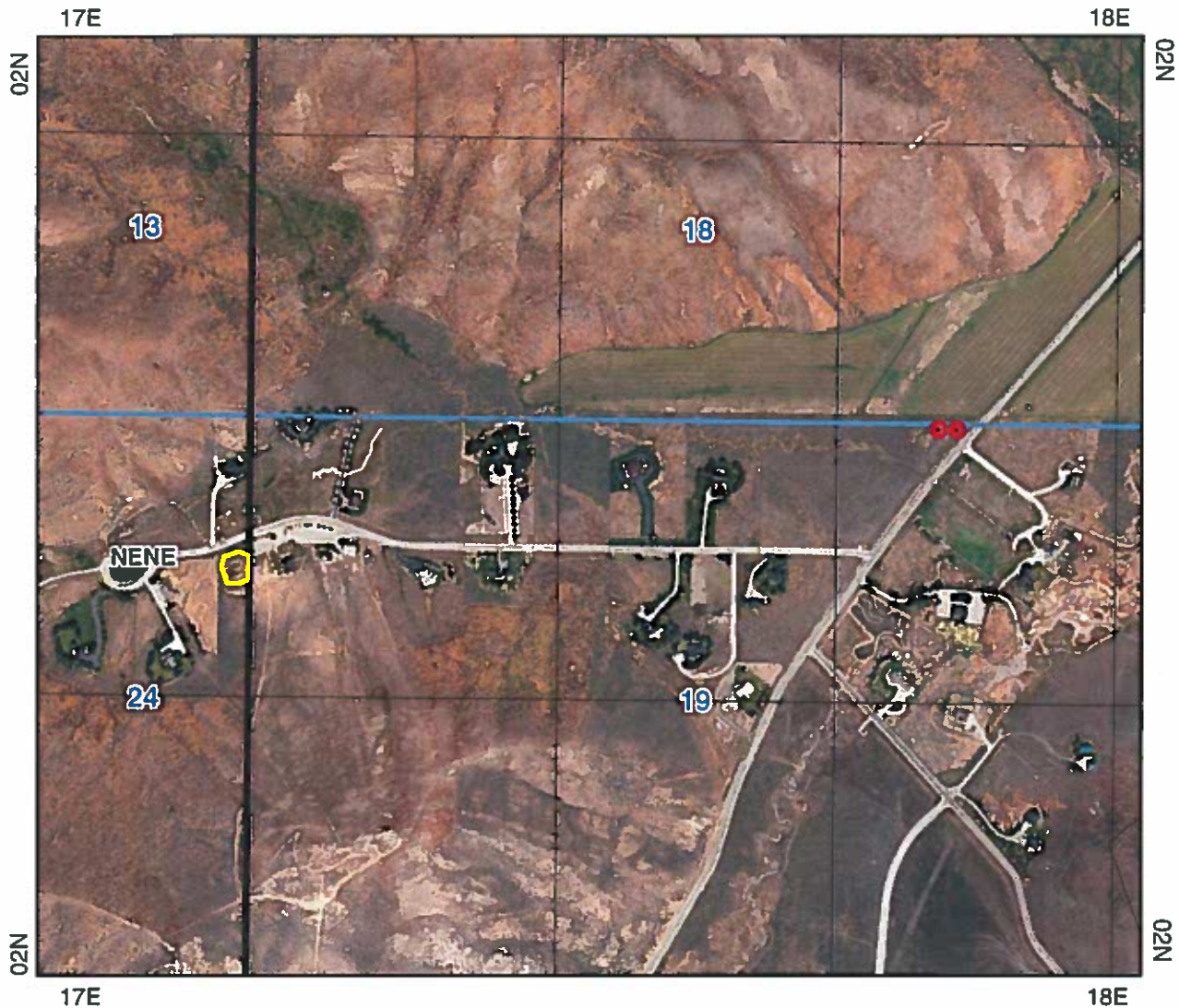


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Attachment to Permit to Appropriate Water

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This map depicts the COMMERCIAL STORAGE and FIRE PROTECTION 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.



3/22/2016

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-4332

3/22/2016

4. ntreasure 6/3/2005 POU
Updated PLS

5. nmiller 12/16/2013 POD
Updated Shape

6. amerritt 3/22/2016 Mitigation Use

This right mitigates for the diversion of right 37-22951 used for snow making. The entire right is used for mitigation.
See 37-22951.

7. amerritt 3/22/2016 POU
Updated Shape

Dates and Other Information

Decreed Date: 9/24/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A