

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13768

Priority: March 21, 2007

Maximum Diversion Volume: 0.4 AF

It is hereby certified that ELLIOT CREEK LLC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 19, 2007; and has
submitted Proof of Beneficial Use on June 03, 2013; and a water right has been established as follows:

SOURCE

ELLIOTT CREEK
SWAMPS

Tributary: TETON RIVER
ELLIOT CREEK

BENEFICIAL USE

AESTHETIC STORAGE
WILDLIFE STORAGE

PERIOD OF USE

01/01 to 12/31
01/01 to 12/31

**ANNUAL
DIVERSION VOLUME**

0.4 AF
0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

ELLIOTT CREEK	SW ¼ NW ¼	Sec. 22	Twp 04N	Rge 45E, B.M.	TETON County
SWAMPS	SW ¼ NW ¼	Sec. 22	Twp 04N	Rge 45E, B.M.	TETON County

PLACE OF USE: AESTHETIC STORAGE and WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 45E 22							X										

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 0.4 acre-feet or a total surface area of 0.1 acre.
2. 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. 01.
3. This right does not grant any right-of-way or easement across the land of another.

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4. The mitigation plan associated with this right provided for the initial one-time fill of the pond with 0.4 acre feet. Subsequent annual refill of the pond up to 0.4 acre feet is authorized by this permit when deliverable in priority. To restore the pond to its maximum storage elevation because of fluctuations in the water level during periods when water is not deliverable under this permit will require the permit holder to provide a mitigation plan for the additional storage volume.

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 17th day of September, 2015.



For GARY SPACKMAN
Director

