



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 3, 2015

GOLD EMBLEM FARMS
PO BOX 51780
IDAHO FALLS ID 83405

RE: Water Supply Bank Rental Application – Denied Application

Dear Applicant:

On June 23, 2015, the Department of Water Resources (IDWR) received your application to rent water from the Idaho Water Resource Board's Water Supply Bank (Bank).

You requested to rent 125 acres of water right 35-13855 for irrigation purposes in the 2015 season. The proposed place of use is in the NW¼ of Section 13, Township 03N, Range 34E and is owned by Areva Enrichment Services LLC per 2015 county tax records.

Bank rule IDAPA 37.02.03.30.01, sets forth criteria when determining if a rental application is approvable. The criteria is designed to ensure other water rights will not be injured, the proposal will not constitute an enlargement of the water right, the water will be put to a beneficial use, the water supply available from applicable rights in the Bank is sufficient for the use intended, and the proposal is in the local public interest.

This letter is notice that the attached application for rental of water is denied for the following reasons:

- The water right proposed to rent, 35-13855, cannot meet your rental request.
- A start date of 4/1/2015 as requested on your rental application cannot be accommodated. The activity you propose in your rental application cannot be authorized until you have paid for your rental and IDWR executes a rental agreement.
- Question 3K of the application requests documentation confirming your authorization to use the proposed place of use. Documentation was not provided.

The first bulleted item deserves further explanation. IDWR avoids enlargement by using the historic consumptive use volume when changing the nature of use to another during a transfer or rental. The historic consumptive use volume is the only portion eligible to be transferred or rented in these cases.

September 3, 2015
Denial Letter

IDWR guidance provides 5 most recent years be evaluated when determining the extent of a historic beneficial use consumptive use volume.

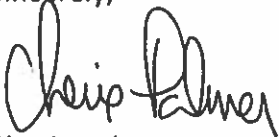
On June 18, 2015, a lease application was received for water right 35-13855. Supplemental information to the lease application stated that some beneficial use had occurred under the industrial use in 2010 and 2011 such as dust control, soil compaction, and truck washing.

IDWR suspects the uses taking place in 2010 and 2011 are mostly non-consumptive in nature. Furthermore, as stated in your supplemental document, the volume of water used during 2010 and 2011 is unknown. IDWR concludes historic consumptive volume under water right 35-13855 is negligible, if not zero, and cannot satisfy your rental request to accomplish your proposed use.

Any use associated with your proposed rental request is considered unauthorized and, if occurring, will be subject to any necessary enforcement action.

If you wish to rent water in the future with a new proposal, please re-apply using new forms from the Department's website at www.idwr.idaho.gov. If you have any questions regarding this matter, please contact me at (208) 287-4944.

Sincerely,



Cherie Palmer
Water Rights Supervisor
Water Allocation Bureau

Enclosure: Rental Application

c: James Cefalo-Watermaster District 120 and Eastern Regional Office
Rob Whitney-Compliance Bureau
Areva Enrichment Services-400 Donald Lynch Blvd, Marlboro, MA 01752

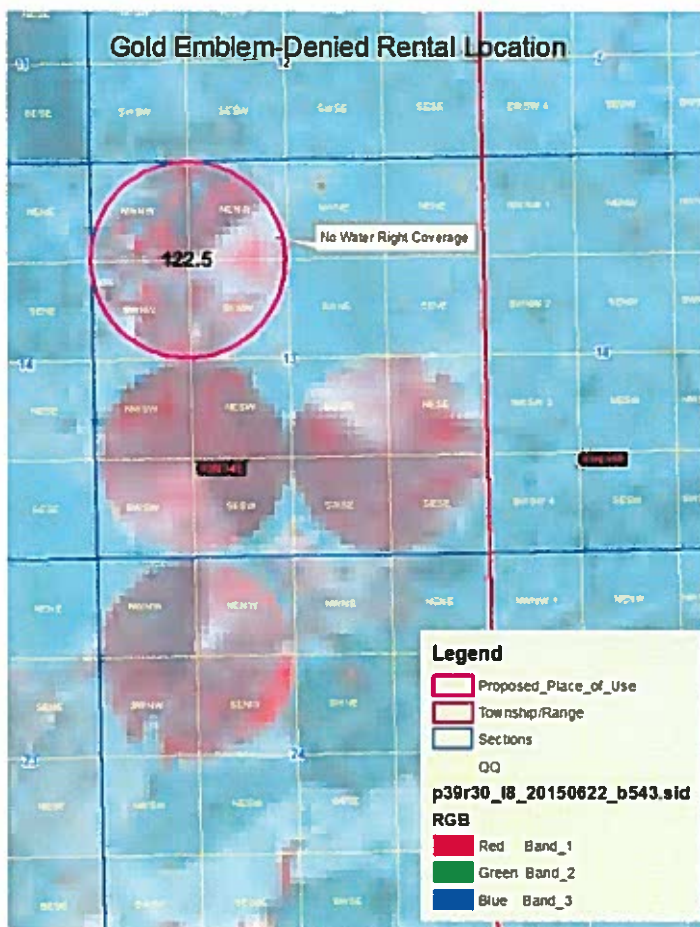
MEMO

TO: Rob Whitney, Compliance Bureau
CC: James Cefalo, Watermaster
FROM: Cherie Palmer
DATE: September 3, 2005
RE: Possible Unauthorized Use

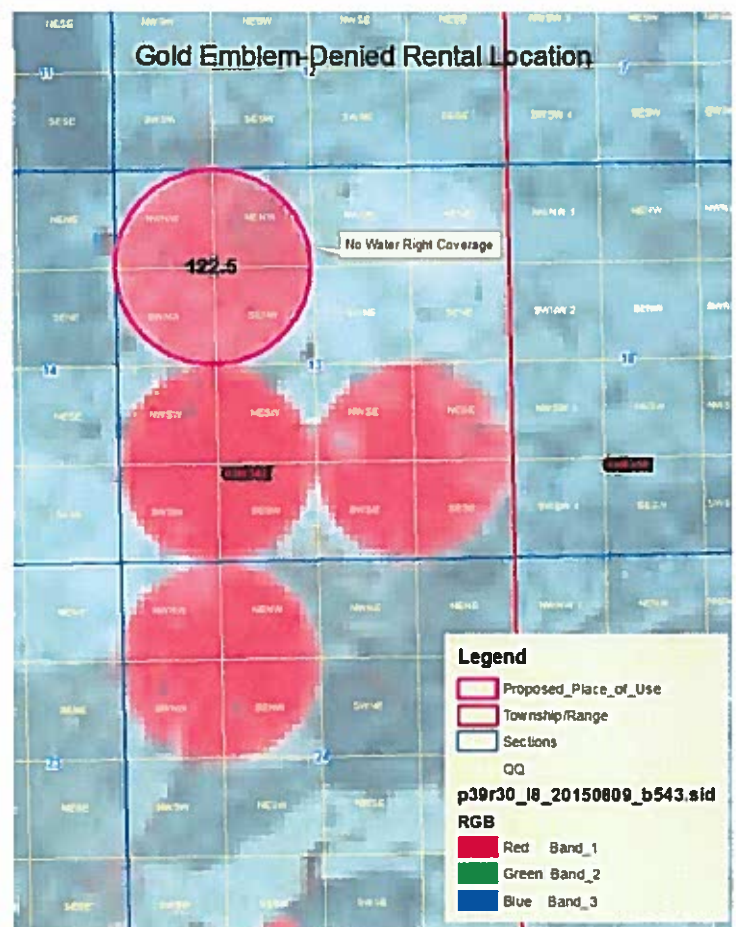
On June 23, 2015, Gold Emblem Farms applied to rent 125 acres of water for irrigation purposes. The proposed place of use is located in the NW¼ of Section 13, Township 03N, Range 34E and is owned by Areva Enrichment Services LLC per 2015 county tax records.

The rental application was denied today.

This memo is to report the unauthorized irrigation of land at the proposed rental place of use. It appears that Gold Emblem began irrigating earlier this year without a water right.



Imagery: June 22, 2015



Imagery: August 9, 2015

Note: Water right 35-13855 does provide irrigation of 5 acres but, the POU for the irrigation portion is in Sections 14 and 26.



Gold Emblem Farm

7891 S. Yellowstone Hwy. * P.O. Box 51780
Idaho Falls, ID 83405
Phone (208) 522-7770 * Fax (208) 522-7470



RECEIVED

JUN 23 2015

DEPARTMENT OF
WATER RESOURCES

June 18, 2015

The Idaho Water Center
Attn: Remington Buyer
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

Remington,

Thank you for your guidance and support regarding our (Gold Emblem Farms) application to rent water from the supply bank and Areva's application to sell or lease water to the supply bank.

Enclosed are the documents you requested (Areva's Application and Gold Emblem Farms' Application). We will proceed forward with our plan, as discussed, recognizing the anticipated delay due to the department's backlog of work.

Please do not hesitate to contact me if you have questions.

Regards,

Phil W Simpson

Chief Executive Officer
Taylor & Sons - Gold Emblem Farms
7891 S. Yellowstone Highway
PO Box 51780
Idaho Falls, ID 83405

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

APPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

JUN 23 2015

DEPARTMENT OF
WATER RESOURCESApplicant Name: Gold Emblem FarmsIs this application being submitted with a lease application as a lease/rental package? Yes ☒ No ☐

An *Application to Rent Water from the Board's Water Supply Bank* must be completed in accordance with the minimum requirement checklist below to be acceptable for processing by the Idaho Department of Water Resources (IDWR). This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Applications to rent water should be submitted well in advance of the desired start date for the use of water. Rental applications may be submitted as early as November 1 of the year prior to the intended use of rental water. Rental applications submitted more than one year in advance of the proposed start date for water use will not be accepted and will be returned to applicants. Rental applications will not be processed if they are received after the end of the rental season of use.

One rental application per beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources. For multiple beneficial uses of water, individual rental requests should be submitted for each unique beneficial use of water.

For additional instructions on completing a rental application, visit the Department's website at www.idwr.idaho.gov.

Checked All Items as Either Attached (Yes) or Not Applicable (N/A)

YES

☒ Completed *Application to Rent Water from the Board's Water Supply Bank*

Attachment N/A YES

- | | | |
|----|-------------------------------------|--|
| 2 | ☒ | A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request |
| 3A | ☐ | ☒ Detailed information on a proposed use of rental water |
| 3E | ☐ | ☒ Authorization from the owner/operator of the rental point(s) of diversion |
| 3G | ☒ | ☐ Water modeling to account for the impacts of the rental request |
| 3J | ☒ | ☐ Documents justifying a need to rent water for irrigation at a rate of flow greater than 0.02 cfs/acre |
| 3K | ☐ | ☒ Authorization from the owner/operator of the property at the proposed rental place(s) of use |
| 4B | ☐ | ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes |
| 4C | ☐ | ☒ Explanation of consumptive use amounts for water rights experiencing a change in nature of use |

Department Use Only – Proposed Water Right(s)

35-13855

35-13855

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant Gold Emblem Farms

Mailing Address PO Box 51780, Idaho Falls, ID 83405

Email Address ctaylor@tandsons.com

Phone Number 208-522-7771

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☐ No ☒
If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Carl Taylor Professional Title Partner - Managing

Organization Gold Emblem Farms Relationship to Applicant Same

Mailing Address PO Box 51780 Idaho Falls Id. 83402

Email Address ctaylor@tandsons.com Phone Number 208-317-7402

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use, and water diversion, delivery and distribution systems. Make sure the place of use is outlined with an obvious, bolded line. For irrigation purposes, note that the place of use outlined on your map cannot exceed the number of acres you are proposing to rent. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe the purpose of your rental request. Include any anticipated rates of water application, water use practices or number of stock (if any). If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of rental water required. Attach additional sheets if required and label it **Attachment 3A**:

We would like to rent all of water right 35-13855 for irrigation purposes. The right will be used at the same place of use where it was located prior to being converted to an industrial right. I will irrigate one center pivot (125 acres) with the right.

B. Enter the desired and/or minimum necessary rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Acres (if applicable) (Acre)
0.76 CFS	526.8 AF	0.76 CFS	526.8 AF	125 AC

Sometimes water rights available for rent provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. Enter the proposed start date and latest possible start date for using rental water. Also provide the number of years you would like to rent water:

Proposed Start Date (month/day/year)	Latest Possible Start (month/day/year)	* Proposed Rental Duration (Max 5 Years)	** For multi-year rentals, indicate whether you desire to rent water for remaining years if a rental request cannot be approved for the first year?	
<u>4/1/2015</u>		<u>Yes</u>	☒ Yes, approve rental for all remaining future years.	☐ No, return rental request if first year is unapprovable.

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.
** Subject to the availability of rentable water. A multi-year rental that cannot begin during the first year requested may be approved for some or all remaining years, depending on availability. Rental requests will be returned if no water is available to rent in the first and/or subsequent years of the rental request.

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

- D. Refer to the map you created in item 2 and specify the location of the point(s) of diversion (POD) from which rental water is proposed to be diverted:

Water Source	TWP	RGE	SEC	¼	¼	¼	County	Other water rights for the same purpose diverted from this POD
Ground Water	03N	34E	13		NE	SW	Bonneville	35-14268

The entry in this grid must match the map from item 2 on the application.

- E. Do you own and/or possess the authority to divert water from the above POD(s)? Yes ☒ No ☐
If no, provide documentation from the owner/operator confirming your authorization to use the POD(s) and label it Attachment 3E.

- F. Do any POD(s) identified in Question 3D divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- G. Has water modeling been provided with your rental request? Yes ☐ No ☒

If yes, include as Attachment 3G. Otherwise please explain why modeling was not provided:

Water will be diverted from a well already listed on water right 35-13855. No modeling is needed.

Rental applications that require modeling will be returned if modeling is not provided.

- H. Specify the proposed beneficial use: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Municipal
☐ Groundwater Recharge ☐ Mining ☐ Stockwater ☐ Other: _____

- I. Refer to the map you created in item 2 and specify below the places you propose to use water. If for irrigation, specify the number of acres to be irrigated per ¼ ¼ tract. Otherwise indicate usage by marking the ¼ ¼ tracts with the first letter of your proposed use identified above:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	34E	13					31.3	31.2	31.2	31.3									125
The entry in this grid must match the map from item 2 on the application.																			Total Acres (for irrigation)
																			125

- J. For irrigation uses, do you propose a water diversion rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒
If yes, explain the justification for this rate of flow and attach any supporting documents as Attachment 3J:

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☐ No ☒
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. Describe your water distribution system and how water will be delivered from the POD(s) to the proposed POU(s):
I sold the land to Areva, but retained water right 35-14268. Since the sale, I have had a lease agreement to continue to irrigate the property.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

M. List all other water rights and sources of water at the rental place of use for the same purpose and explain why additional water is required. Include privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company, or any other water deliver entity:
35-14268 is diverted from the same POD, but used on different ground (two pivots in the same Section and one in Section 24)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☒ No ☐
 If yes, specify below the water rights you are requesting to rent. Otherwise continue to Section 5 of this application form.

Please note: Diversion rates and volumes to be rented from a leased water right must be proportionate to the per acre diversion rates and per acre volume limits of the water right leased to the Bank. Applicants should query a water right's rental availability by reviewing active lease and rental documents, searchable via [IDWR's website](#), to ensure all elements of a water right remain available in sufficient quantity to satisfy a rental request.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany the rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.**

For leased rights with combined limits, applicants should request to rent against the combined limit diversion rate, volume or acre limits.

Elements of Water Rights Leased to the Bank (Contract Details)								Leased totals minus water actively engaged in rental agreement equals rental availability	Rental Request		
Water Right Number	Nature of Use	Water Source	Rate (CFS)	Volume (AF)	Acres (AC)	Start (year)	End (year)		Rate (CFS)	Vol. (AF)	Acres (AC)
35-13855	Industrial	Ground Water	0.70	506.8	N/A				0.70	506.8	120
35-13855	Irrigation	Ground Water	0.06	20	5				0.06	20	5
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre that have been leased to the Water Supply Bank								TOTAL	0.76 CFS	526.8 AF	125 AC

Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B:**
Although we are renting the full water right, we will not exceed 4 acre-feet per acre of irrigation.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- C. Does your rental request propose to change the nature of use for any water right(s) being requested? Yes ☒ No ☐

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented, as well as the new consumptive use amount for your proposed beneficial use. Attach a separate page if space is insufficient and label it Attachment 4C:

We are renting the full volume of the water right (526.8 af) to cover our expected field headgate demand (500 af = 4af/acre x 125 acres)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒

If yes, describe:

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒

If yes, describe the date and location of the NOV.

DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws.

Gold Emblem Farms

Signature of Applicant

Gold Emblem Farms

Printed Name of Applicant

3/27/15

Date

Carl Taylor

Signature of Representative

Carl Taylor

Printed Name of Representative

3/27/15

Date

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

STATE OF IDAHO
WATER RESOURCE BOARD

Water Modeling Requirement Information Sheet

Information on water modeling requirements for rental requests within special administrative areas

Important information on requesting rental water within the Eastern Snake Plain Aquifer (ESPA) and other selected administrative areas: If your proposed rental falls within the boundaries of the ESPA or other selected administrative area (as explained below) you must identify specific water rights leased into the Bank to use for your rental. Item 4 of the rental application can be used for this purpose. Use the information below to determine whether modeling the potential impacts of your proposed rental is necessary. If you submit an application to rent water from within the ESPA and/or a special administrative area and it is determined that your rental request requires water modeling, your rental request will be returned if water modeling is not provided.

Water modeling may be required when an application to rent water involves one of two scenarios:

Scenario 1: The application proposes the use of a regulated water source within an administrative area and the distance between the rental point(s) of diversion (POD) and the POD(s) for the leased water right(s) is greater than the administratively established, acceptable distance.

Regulated water sources areas may include:

- A. Ground water within the Eastern Snake Plain Aquifer (ESPA);
- B. Ground water within Ground Water Management Areas (GWMAs) or Critical Ground Water Areas (CGWAs);
- C. Water resources within other specified administrative areas, as established by the Idaho Water Resource Board (IWRB) or the Idaho Department of Water Resources.

The distance between any rental POD(s) and the POD(s) for a leased water right is important. On the ESPA, distance is measured in terms of model cells that cover an area of one square mile. Ground water modeling is not required if lease POD(s) and rental POD(s) are within the same or adjacent model cells. If lease and rental POD(s) are separated by more than one model cell, however, groundwater modeling must be completed and submitted with the rental application. ESPA modeling tools can be accessed and freely downloaded from IDWR's website by visiting:

www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.

Ground water modeling may be required within GWMAs, CGWAs or other regulated administrative areas. Applicants who desire to rent water within an established GWMA, CGWA or other regulated administrative area should consult IDWR's website before submitting their application to review the current status of administrative orders related to regulated administrative areas. Consult www.idwr.idaho.gov/WaterInformation/GroundWaterManagement/designated_areas.htm for information on GWMAs or CGWAs, visit www.idwr.idaho.gov/AboutIDWR/legal.htm for information on other regulated areas.

Applicants interested in renting water within a GWMA, CGWA or other regulated administrative areas should request water rights that have been leased into the Bank from within the same administrative area. Generally, the Bank will not permit a rental of water within a regulated administrative area if the leased water rights are not located within that same administrative area.

Scenario 2: A rental request proposes to divert water from a different but hydraulically connected water source.

Modeling situations may include:

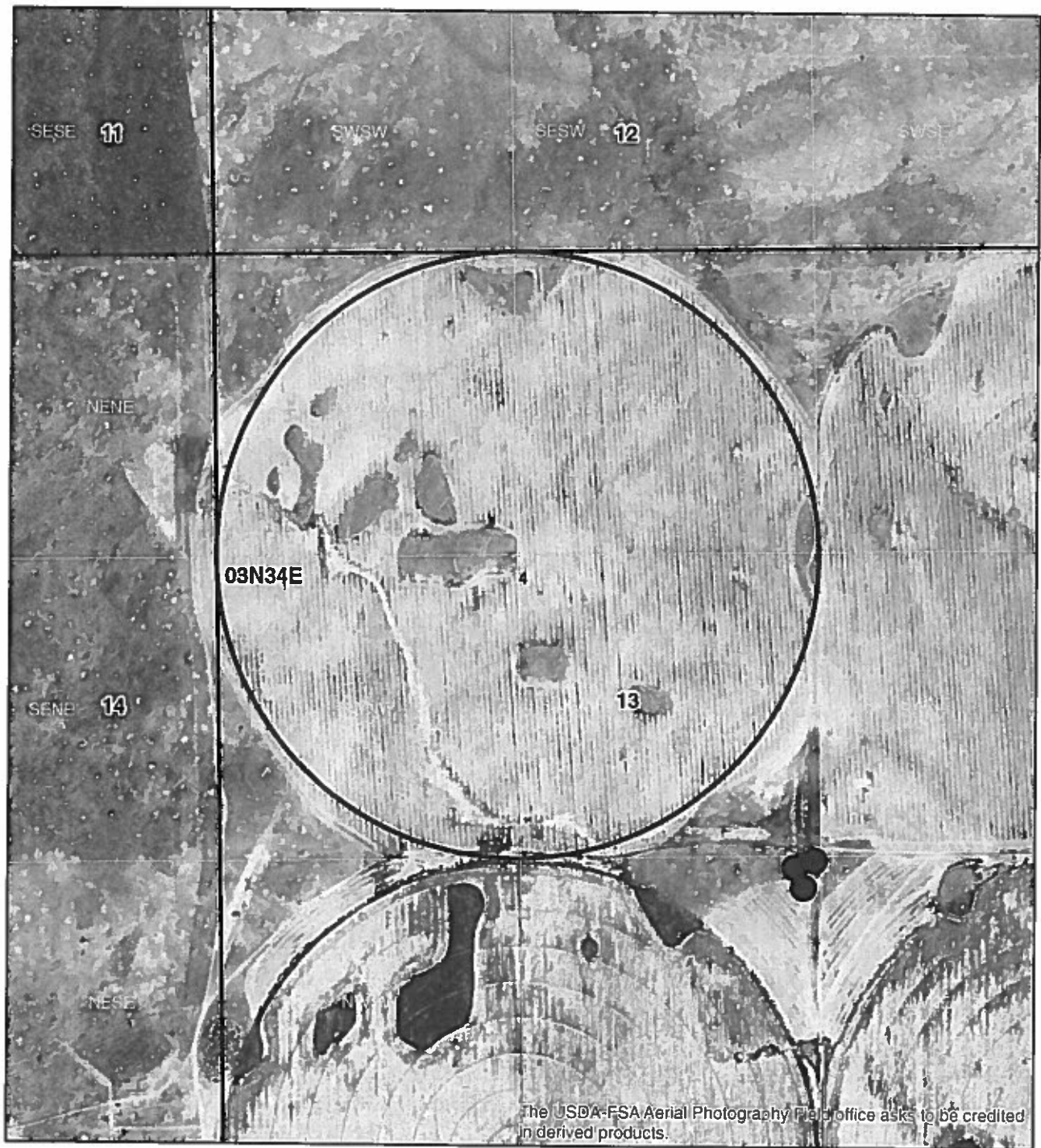
- A. Rental requests that propose to divert surface water rights via ground water POD(s) (wells); and
- B. Rental requests that propose to divert ground water from one aquifer when the right being rented is authorized to divert ground water from a hydraulically connected, tributary aquifer.

Rental requests that propose to divert surface water rights from ground water points of diversion may be considered if ground water modeling establishes that the surface and ground water resources are sufficiently hydraulically connected. The ground water and surface water sources must have a direct and immediate hydraulic connection (at least 50 percent of the total depletion must be detectable in the original source in one day). The existing POD and proposed POD must be proximate such that diversion and use of water from the proposed POD would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original POD.

Requests to rent ground water across tributary aquifer sources may be considered if ground water modeling is provided to demonstrate that two aquifers are hydraulically connected and the anticipated impacts of diverting ground water from one source through the other is modeled accordingly.

For more information about rental application requirements, contact IDWR at (208) 287-4800.

Gold Emblem Farms WSB Rental



Legend

-  Proposed WSB Rental POU
-  headgate
-  Township/Range
-  Sections
- QQ



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/3/2015

Water Right 35-13855

Owner Type **Name and Address**
Current Owner AREVA ENRICHMENT SERVICES LLC
1070 RIVERWALK DR STE 150
IDAHO FALLS, ID 83402
(208)227-9440

Priority Date: 2/14/1961

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.060 CFS	20.0 AF
INDUSTRIAL	01/01	12/31	0.700 CFS	506.8 AF
	Total Diversion		0.760 CFS	526.8 AF

Source and Point(s) of Diversion

GROUND WATER	NESW	Sec. 13, Twp 03N, Rge 34E,	BONNEVILLE County
GROUND WATER	NESW	Sec. 13, Twp 03N, Rge 34E,	BONNEVILLE County
GROUND WATER	NWNW	Sec. 15, Twp 03N, Rge 34E,	BONNEVILLE County
GROUND WATER	SWNE	Sec. 22, Twp 03N, Rge 34E,	BONNEVILLE County
GROUND WATER	NWNW	Sec. 23, Twp 03N, Rge 34E,	BONNEVILLE County
GROUND WATER	SWSW	Sec. 25, Twp 03N, Rge 34E,	BONNEVILLE County
GROUND WATER	NWSW	Sec. 24, Twp 03N, Rge 34E,	BONNEVILLE County

Place Of Use

INDUSTRIAL within BONNEVILLE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	34E	13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
03N	34E	14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
03N	34E	15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
03N	34E	21	X	X	X	X													
03N	34E	22	X	X	X	X	X	X	X	X								X	
03N	34E	23	X	X	X	X	X	X	X	X			X	X	X	X	X	X	
03N	34E	24		X			X	X	X	X	X	X	X	X	X	X	X		
03N	34E	25					X	X	X	X	X	X	X	X					
03N	34E	26	X	X	X	X	X			X	X					X	X	X	

IRRIGATION within BONNEVILLE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	34E	14													0.6	0.6	0.6	0.7	2.5

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/3/2015

03N	34E	26															2.5		2.5
-----	-----	----	--	--	--	--	--	--	--	--	--	--	--	--	--	--	-----	--	-----

POU Total Acres: 5.0

Conditions of Approval:

1. R05 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. 120.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. 212 Prior to diversion and use of water under Transfer approval 75268, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. R68 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Industrial use is for the operation of a fuel cycle facility and associated offices.
8. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. T07 The right holder shall accomplish the change authorized by this transfer within five year(s) of the date of this approval. Failure to accomplish the changes authorized by this transfer before the five year period expires could result in forfeiture of the water right.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.