

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 37-22834

Priority: August 07, 2013

Maximum Diversion Rate: 5.00 CFS  
Maximum Diversion Volume: 318.4 AF

This is to certify, that AMY RUTH JENSEN TESTAMENTARY TRUST  
C/O CLIFTON E JENSEN TRUSTEE  
PO BOX 201  
HAGERMAN ID 83332  
And  
CLIFTON E JENSEN  
PO BOX 201  
HAGERMAN ID 83332  
And  
SUZANNE K JENSEN  
PO BOX 201  
HAGERMAN ID 83332

has applied for a permit to appropriate water from:

**Source:** WASTE 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> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| AESTHETIC STORAGE     | 01/01 to 12/31       |                          | 99.0 AF              |
| DIVERSION TO STORAGE  | 03/15 to 11/15       | 5.00 CFS                 |                      |
| IRRIGATION STORAGE    | 01/01 to 12/31       |                          | 318.4 AF             |

**LOCATION OF POINT(S) OF DIVERSION:**

WASTE WATER NW1/4NW1/4 Sec. 36, Twp 06S, Rge 13E, B.M.  
GOODING County

**PLACE OF USE:** AESTHETIC STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S 13E 35  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |        |

**PLACE OF USE:** IRRIGATION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S 13E 35  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |        |

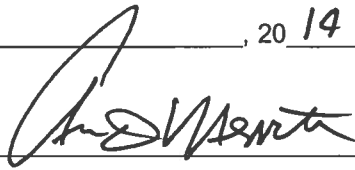
State of Idaho  
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NO. 37-22834

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2015**.
2. Subject to all prior water rights.
3. The source of water diverted under this right is Trust Water which is identified in the 1984 Swan Falls Agreement and defined as surface and ground water tributary to the Snake River between Milner Dam and Swan Falls. Diversions under this right shall be subject to curtailment if such diversions would impact the established minimum stream flows of 3,900 cfs from April through October and 5,600 cfs from November through March at the Murphy gage. Further, this right shall be subject to review by the Director consistent with the terms limits imposed upon trust water rights issued by the State and arising out of the 1984 Swan Falls Agreement. This trust water right shall be reviewed at the same time as trust water rights 37-21456 and 37-21827 which divert from the same source.
4. 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. 130.
5. The waste water diverted under this right is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.
6. The following rights are diverted through the point of diversion described above: 37-21456, 37-21486, 37-21827, 37-21828, 37-22834 and 37-22835. These rights are limited to a maximum diversion rate of 14.56 cfs.
7. At any instant in time rights 37-21456, 37-21486, 37-21827, 37-21828, 37-22834 and 37-22835 when combined shall not exceed the storage of 99 AF in the reservoir. The reservoir may be refilled multiple times up to the total storage volume in a single year.
8. Rights 37-21456, 37-21486, 37-21827, 37-21828, 37-22834 and 37-22835 when combined are limited to an annual volume of 762.4 af which includes the initial fill of the reservoir, and multiple refills of the reservoir.
9. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
10. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 11<sup>th</sup> day of July, 2014.

FOR

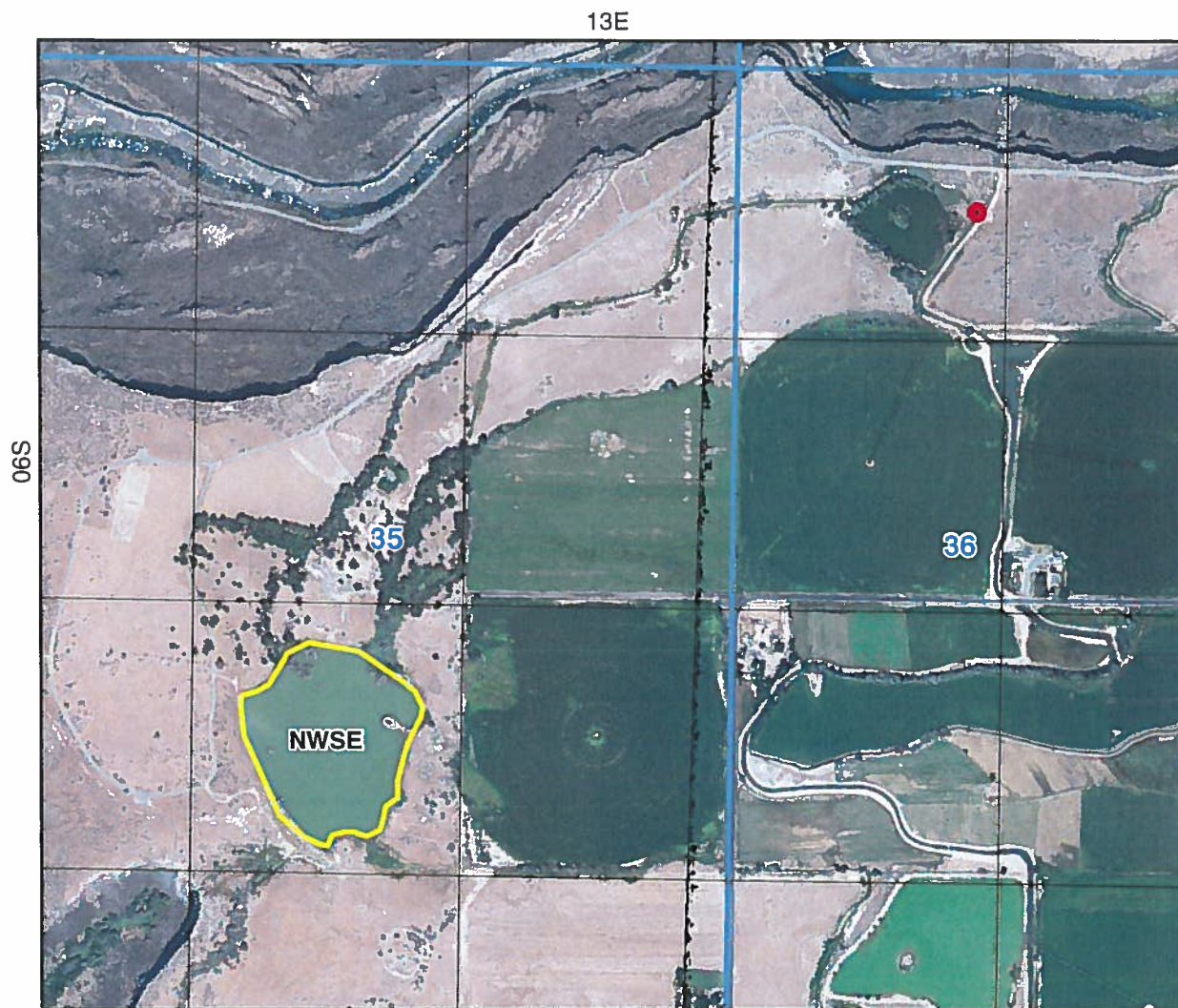
  
GARY SPACKMAN, Director

State of Idaho  
Department of Water Resources

# Attachment To Permit to Appropriate Water

Permits: 37-22834 and 37-22835

This map depicts the AESTHETIC STORAGE and IRRIGATION 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.



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

0 0.1 0.2 0.4 Miles

