

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 37-08916

Priority: September 28, 2000

Maximum Diversion Volume: 0.4 AF

This is to certify, that TOM R NORRIS
2351 CLAY ST, STE 510
SAN FRANCISCO CA 94115

has applied for a permit to appropriate water from:

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

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		0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER
BLAINE County

NE1/4SE1/4

Sec. 7, Twp 03N, Rge 18E, B.M.

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	
03N 18E 7																	X

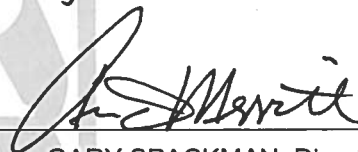
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2016**.
2. Subject to all prior water rights.
3. This right authorizes aesthetic storage in the amount of 0.43 acre-feet per annum.
4. The 0.43 acre-feet of storage authorized under this right includes an allowance of 0.11 acre-feet for annual evaporative losses. The evaporative losses are mitigated by the reduction of historic domestic irrigation as recorded under right 37-22847.
5. Point of diversion is located within Lot 2B, Little Makawao Subdivision.
6. Place of use is located within Lot 2B, Little Makawao Subdivision.
7. During the first year of initial filling or any subsequent refill of the pond as enlarged the right holder shall mitigate by renting a minimum of 0.32 acre feet of water from the Big Wood River or limit irrigation of lawns under right 37-22847 to no more than 0.24 acres.

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8. The pond enlarged by the additional storage of water under this right shall not exceed a total capacity of 2.0 acre-feet or a total surface area of 0.57 acres. This total capacity includes the existing historic pond plus the proposed enlargement of 0.32 acre-feet. This total surface area includes the existing historic pond plus the proposed enlargement of 0.09 acres. The existing pond is located within Lots 2B and 3A, Little Makawao Subdivision.
9. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right and require the enlargement of the pond be filled in or reclaimed at the right holders expense.
10. This right does not authorize the manipulation of the Big Wood River or what is known as the Makawao side channel of the Big Wood River to maintain a flow through the pond that does not naturally occur.
11. 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.
12. After specific notification by the department, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
13. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24th day of February, 2014.



GARY SPACKMAN, Director

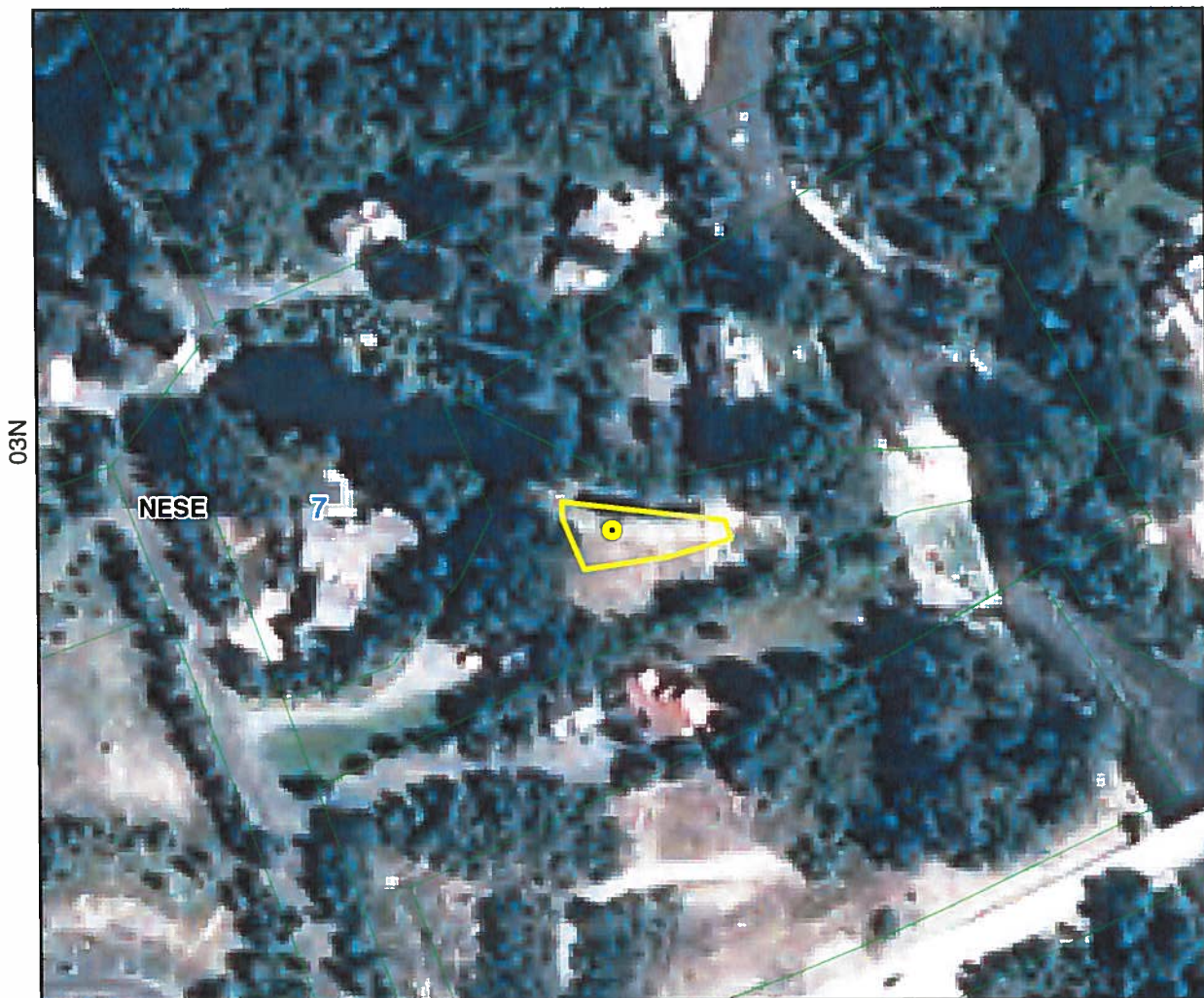
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Attachment To Permit to Appropriate Water

37-8916

This map depicts the AESTHETIC 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.

18E



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

0 0.0175 0.035 0.07 Miles

