

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 29-14042

Priority: November 19, 2012

Maximum Diversion Rate: 0.13 CFS

This is to certify, that BAR NONE RANCH LLC
1500 BAY LAUREL
MENLO PARK CA 94025

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM**Tributary:** DEMPSEY CREEK

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>
POWER	01/01 to 12/31	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION:UNNAMED STREAM NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 Twp 10S Rge 38E, B.M. BANNOCK County**PLACE OF USE:** POWER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	38E	28																	
				X															

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2014**.
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. 29.
4. Use of water under this right shall be non-consumptive.
5. The term of this right shall extend to December 31, 2038. Prior to the expiration of the term, the Director may issue an order canceling all or any part of the use authorized herein, may establish a new term, or may revise, delete, or add conditions under which the right may be exercised. The order shall take effect on the date the current term expires. If the director does not issue such an order, the term shall automatically extend to a length equal to the project's prior term and any prior conditions on the water right shall remain in effect.
6. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
7. The rights for the use of water acquired under this right shall be junior and subordinate to all other rights for the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

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8. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
9. The source of water is also known as Snodgrass Creek.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of August, 20 13.


for GARY SPACKMAN
Director