

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 1-10542

Priority: September 14, 2007

Maximum Diversion Rate: 25.80 CFS
Maximum Diversion Volume: 7,325.5 AF

It is hereby certified that BRP INC
PO BOX 1768
IDAHO FALLS ID 83403 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 14, 2007; and has
submitted Proof of Beneficial Use on November 23, 2009. An examination confirms water is diverted
from:

SOURCE

SNAKE RIVER

Tributary: COLUMBIA RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
RECREATION	01/01 to 12/31	25.80 CFS	7,325.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER SE1/4SW1/4NW1/4 Sec. 35, Twp 02N, Rge 37E, B.M.

BONNEVILLE County

PLACE OF USE: RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 37E 34													X				X
02N 37E 35							X		X	X							L 4

CONDITIONS OF APPROVAL

1. This right shall be junior and subordinate to future water rights authorizing the diversion and use of water from the Snake River and its tributaries, including ground water, for consumptive uses, except that this right shall not be subordinate to future water rights for similar wildlife, recreation and/or aesthetic uses.
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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Use of water under this right shall be non-consumptive.

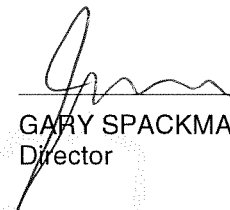
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5. This water right does not authorize the storage of water.
6. Recreation use is for flow-through water at Gem Lake Harbor.
7. The diversion of water into Gem Lake Harbor may be influenced by the operation of hydropower facilities located upstream and downstream of the point of diversion for this right. The diversion rate authorized by this right is not protected against river level fluctuations caused by power plant operations. Similarly, diversions of water through Gem Lake Harbor in excess of this right are not a violation of this right if they are caused by operation of the hydropower facilities.

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 and sealed this 29 day of March, 2013.


for GARY SPACKMAN
Director