

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 32-13309

Priority: June 04, 2010

Maximum Diversion Rate: 1.50 CFS

This is to certify, that E MARLOWE GOBLE
1125 CEDAR HEIGHTS DR
LOGAN UT 84341

has applied for a permit to appropriate water from:

Source: SPRINGS**Tributary:** MEDICINE LODGE 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>
AESTHETIC	01/01 to 12/31	1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:SPRINGS SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6 Twp 12N Rge 33E, B.M. CLARK CountyPLACE OF USE: AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	33E	6															X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 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. 32C.
4. Aesthetic use is for circulating water through an aesthetic pond.
5. Use of water under this right shall be non-consumptive.
6. Prior to diversion of water under this right, the right holder shall install lockable controlling works of a type acceptable to the Department as part of the diverting works.
7. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the aesthetic pond and the amount of water leaving the aesthetic pond.
8. If the amount of water entering the aesthetic pond exceeds the amount leaving the aesthetic pond, the right holder shall provide mitigation approved by the department in an amount equivalent to the measured loss.
9. Noncompliance with any condition of this right, including the requirement for possible mitigation, is cause for the Department to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
10. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

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11. The diversion and use of water described under permit 32-13309 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of June, 20 12.


for GARY SPACKMAN, Interim Director

Applications for Permit _____ No. 32-13308 and 32-13309

In the Name of E. Marlowe Goble

WITHDRAWAL OF PROTESTS

Name of Protestant: Water District 32C

Represented by: Brion Egan

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

☒ My withdrawal is conditioned on the following:

1. Instantaneous measuring devices will be installed at the point of diversion and outflow of the pond.
2. Mr. Goble will prevent the construction of beaver dams on Medicine Lodge Creek between point A and point B as indicated on the attached map. Any existing dams will be removed by July 1, 2012.
3. The ditch from Medicine Lodge Creek to the pond will be removed and filled in.
4. The diversion from springs will be assessed as a water district 32C diversion.

Signed this 7 day of may 2012

Tod Sluts
Brion Egan – Water District 32

Brion Egan

E. Marlowe Goble
E. Marlowe Goble - Applicant