

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08894

Priority: June 01, 1999

Maximum Diversion Volume: 20.5 AF

It is hereby certified that DRY CREEK PARTNERS
C/O BILL NOVINGER
1598 E 1330 S
GOODING ID 83330 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 01, 1999; and has
submitted Proof of Beneficial Use on July 18, 2008. An examination indicates that the works have a
diversion capacity of 0 cfs of water from:

SOURCE

DRY CREEK

Tributary: BIG WOOD RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	20.5 AF
AESTHETIC STORAGE	01/01 to 12/31	20.5 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK	SE1/4NE1/4SW1/4	Sec. 3, Twp 05S, Rge 14E, B.M.
GOODING County		
DRY CREEK	SW1/4NW1/4SE1/4	Sec. 3, Twp 05S, Rge 14E, B.M.
GOODING County		

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S 14E 3									X					X			

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S 14E 3									X					X			

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CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 20.5 acre-feet and a surface area of 4.0 acres. Right 37-865A authorizes the diversion of an annual total of 12.0 acre-feet to be used for the replacement of losses caused by evaporation from the pond authorized under this right. When this right and right 37-865A are combined they provide a total storage volume of 32.5 acre-feet per annum. Subsequent refill of the pond is not authorized under these rights and an alternative plan must be approved by the department prior to diversion of water for refill.
2. The water right holder shall maintain control of the necessary portion of right 37-865A for wildlife and aesthetic storage purposes under Transfer approval 72373. If the necessary portion of the wildlife and aesthetic diversion to storage right is sold, transferred, leased, used on any place of use, or are not deliverable due to a priority call, then the amount of water authorized for storage under this right shall be reduced by the same proportion of the amount reduced under the wildlife and aesthetic diversion to storage right.
3. The source from Dry Creek includes water from Black Canyon Creek which is tributary to Dry Creek and converges with Dry Creek within the boundaries of the pond.
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. 37.
5. Upon specification notification the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works and a lockable device that will provide the watermaster suitable control of the diversion.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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 31st day of May, 2012.

FOR



GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
37-8894

This map depicts the WILDLIFE STORAGE & 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.

R14E



0 0.0375 0.075 0.15 Miles

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

