

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 23-11418

Priority: August 10, 2011

Maximum Diversion Rate: 1.50 CFS

This is to certify, that JEFFREY ALEIXO And/Or
MICHELLE ALEIXO
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130

has applied for a permit to appropriate water from:

Source: PALISADES CREEK

Tributary: SNAKE 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>
AESTHETIC	04/15 to 10/15	1.50 CFS
RECREATION	04/15 to 10/15	1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:PALISADES CREEK SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25 Twp 01N Rge 44E, B.M. BONNEVILLE County**PLACE OF USE:** AESTHETIC and 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	
01N	44E	25																	
									X					X					

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2013**.
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. 01.
4. 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).
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. To divert water in connection with this right, the right holder shall use a pump that is installed outside the high water mark of Palisades Creek or installed in a shallow well or sump constructed or excavated outside the high water mark but near enough to Palisades Creek that diversions of water from it cause the flow of Palisades Creek to be diminished by at least 50% of the diversion rate within a 24 hour period. If the right holder elects to install a well or sump, prior to its construction or excavation, the right holder shall submit a report prepared by a licensed professional engineer or geologist that demonstrates the depletion requirement of this condition and shall receive written approval from the Department. If the permit holder does not employ a shallow well or sump, only a flexible pipe may extend from the pump to the water below the high water mark, and the intake for the flexible pipe shall be screened with $\frac{1}{4}$ -inch or smaller mesh to protect fish and wildlife.

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7. Recreation and aesthetic uses are to maintain constant flow through a 3 acre-foot pond established under Permit 23-11387.
8. The consumptive elements associated with the 3 acre-foot pond are covered under Permit 23-11387.
9. Use of water under this right shall be non-consumptive.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 21st day of May, 20 12.


for GARY SPACKMAN, Interim Director