

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 23-11237

Priority: July 11, 2003

Maximum Diversion Volume: 2.0 AF

This is to certify, that STEPHEN E MARTIN
425 S HOLMES AVE
IDAHO FALLS ID 83401

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	2.0 AF
RECREATION STORAGE	01/01 to 12/31	2.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, Twp 01N, Rge 43E, B.M., BONNEVILLE County

PLACE OF USE: AESTHETIC STORAGE and RECREATION STORAGE

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 43E 2									X								

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2004**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Point of diversion and place of use are located within Lot 8, Blk. 3, Fox Creek Ranch.
5. As mitigation for the use of water under this right, each year the right holder shall rent 2.0 acre feet from the Snake River Rental Pool or shall otherwise provide a source of water adequate to offset the depletion of water caused by this water use. Water shall not be diverted under this right if mitigation is not provided.
6. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
7. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of October, 2003.

MICROFILMED
MAR 10 2004


KARL J DREHER, Director