

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 71-10941

Priority: June 30, 2011

Maximum Diversion Rate: 0.30 CFS

This is to certify, that PATRICK W LEE
C/O JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

And/Or

JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

has applied for a permit to appropriate water from:

Source: LOST 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>
IRRIGATION	05/01 to 07/01	0.30 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

LOST CREEK	SE1/4SW1/4SE1/4	Sec. 34, Twp 08N, Rge 14E, B.M.
CUSTER County	(Injection)	
LOST CREEK	SE1/4SW1/4SE1/4	Sec. 34, Twp 08N, Rge 14E, B.M.
CUSTER County	(Rediversion)	
LOST CREEK	SE1/4SE1/4SE1/4	Sec. 34, Twp 08N, Rge 14E, B.M.
CUSTER County		

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 14E 34													40.0	40.0	40.0	40.0	160.0

Total Acres: 160

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 14E 34													X	X	X	X	

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CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2013**.
2. Subject to all prior water rights.
3. This right is limited to the irrigation of a specific 15 acres within the 160 acre place of use authorized by this right in a single irrigation season. The specific 15 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list, a representative electronic shape file a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right. Before changing the 15 acres to be irrigated within the 160 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Rights 71-10940 and 71-10941 when combined shall not exceed a total diversion rate of 0.30 cfs, a total annual maximum diversion volume of 45.0 af at the field headgate, and the irrigation of 15 acres.
5. 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. 71.
6. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s), including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to employ an alternative method to determine and record the amount of water diverted.
8. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
9. 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.
10. This right does not grant any right-of-way or easement across the land of another. Specifically, this right does not grant or modify existing scenic easements held by the federal government which may limit use of this right. This right does not grant approval of other local, state or federal authorities that may be required to perfect use of this right.
11. The Director retains jurisdiction to require a bypass flow for maintenance of fish, wildlife, riparian and aquatic habitat.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of October, 2011.



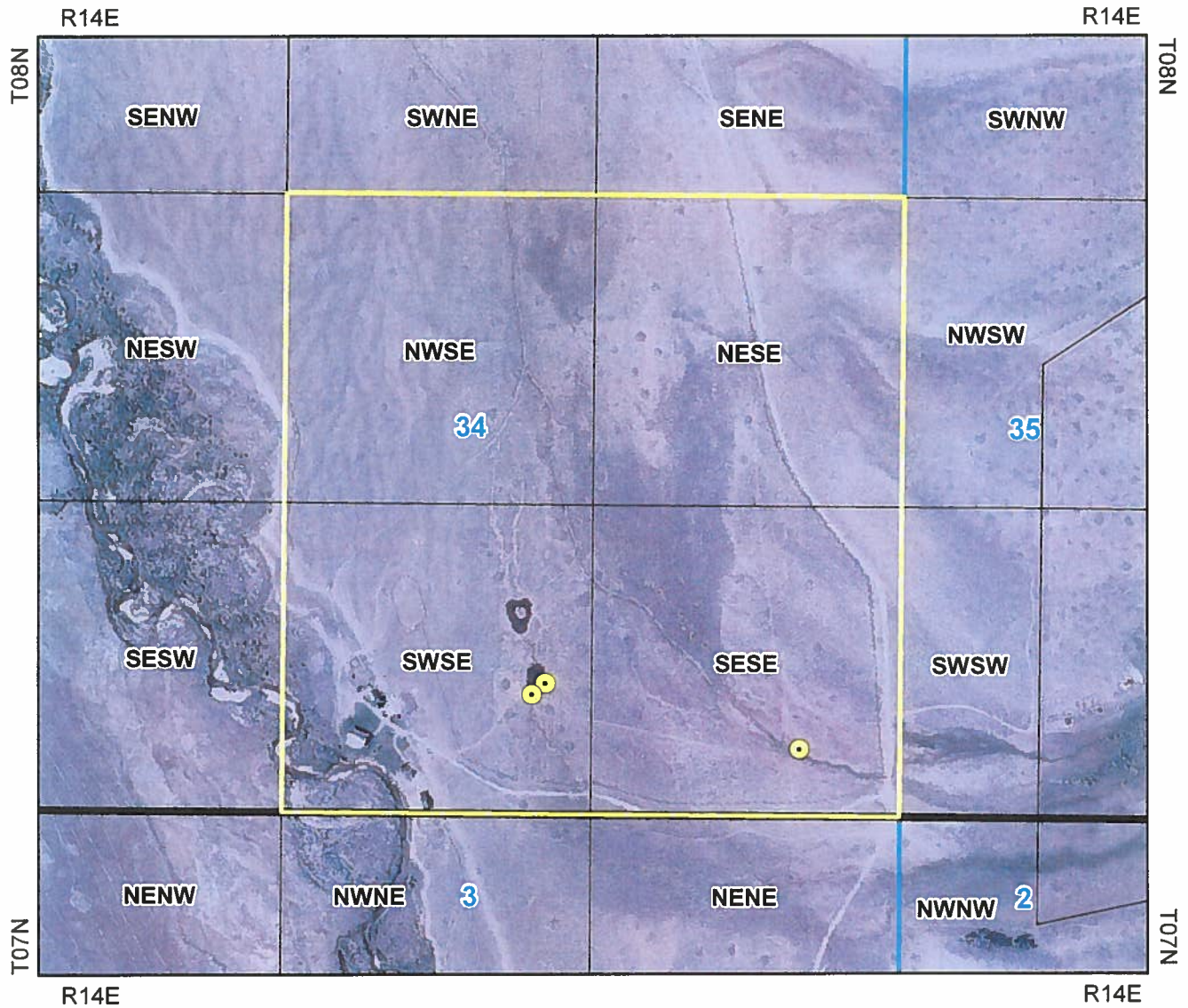
For GARY SPACKMAN, Interim Director

State of Idaho
Department of Water Resources

Attachment To Permit to Appropriate Water

71-10941

This map depicts the IRRIGATION 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.



Legend

○ Point of Diversion

Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

0 0.05 0.1 0.2 Miles

