

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-13720

Priority: August 16, 2005

Maximum Diversion Rate: 0.10 CFS

It is hereby certified that TOM SIMKO
245 N BONNEVILLE RD
INKOM ID 83245 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 16, 2005; and has
submitted Proof of Beneficial Use on August 09, 2006; and a water right has been established as follows:

SOURCE

LOWER ROCK CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE

POWER

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

LOWER ROCK CREEK SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36 Twp 07S Rge 36E, B.M. BANNOCK County

PLACE OF USE:

POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	36																	X

CONDITIONS OF APPROVAL

1. 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. 29.
2. The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
3. Use of water under this right shall be non-consumptive.
4. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
5. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after August 9, 2016. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

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6. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

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 13th day of September, 2011.


for GARY SPACKMAN
Interim Director

