

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 71-10929

Priority: June 30, 2009

Maximum Diversion Rate: 0.50 CFS
Maximum Diversion Volume: 4.2 AF

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**Tributary:** SINKS

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>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.50 CFS	
WILDLIFE STORAGE	01/01 to 12/31		4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

LOST CREEK SE1/4SE1/4SE1/4 Sec. 34, Twp 08N, Rge 14E, B.M.
CUSTER 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
08N 14E 34															X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2012**.
2. Subject to all prior water rights.
3. This right is for diversion to storage and storage in two existing reservoirs with a total capacity of 3.2 af. plus the amount necessary to replace evaporation and seepage losses from the reservoirs, up to a combined maximum of 4.2 af. The reservoirs are authorized under rights 71-7178 and 71-7179. The total combined diversion volume under this right and Rights 71-7178 and 71-7179 shall not exceed 4.2 af.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 71-10929

4. This right is for the diversion to storage via an existing 4 inch PVC pipeline. This right does not authorize enlargement of the existing diversion system.
5. 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.
6. 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. 170.
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 logger(s), at the authorized point(s) 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. 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.
9. 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.
10. 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.
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 17th day of May, 20 11.

FOR


GARY SPACKMAN, Interim Director