

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-22543

Priority: June 23, 2010

Maximum Diversion Volume: 2.2 AF

This is to certify, that LAVA LAKE LAND & LIVESTOCK LLC
PO BOX 2249
HAILEY ID 83333

has applied for a permit to appropriate water from:

Source: SPRING**Tributary:** COPPER CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	2.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING	SW1/4NW1/4NW1/4	Sec. 27, Twp 01N, Rge 23E, B.M.
BLAINE County		
SPRING	SE1/4NE1/4NE1/4	Sec. 28, Twp 01N, Rge 23E, B.M.
BLAINE County		

PLACE OF USE: WILDLIFE 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	23E	27						X											
01N	23E	28	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2015**.
2. Subject to all prior water rights.
3. To mitigate for the depletion of water resulting from the initial fill of the ponds (total of 10.0 acre feet) constructed pursuant to permit nos. 37-22543 and 37-22544, the right holder shall idle a total of 4.6 irrigable acres (3.6 acres for 37-22544 and 1.0 acre for 37-22543) under the following combined water rights if constructed and filled during the irrigation season or during the following irrigation season if constructed and filled during the non-irrigation season. Combined Right Nos.: 37-2545A, 37-22467, 37-2688, 37-11950, 37-22468, 37-1156, 37-22466, 37-2715, 37-11936, 37-7072, 37-7600, and 37-22469.

If in any subsequent year the ponds need to be re-filled an equivalent number of acres shall be idled based on 2.17 acre-feet per acre idled for the volume needed for re-fill.

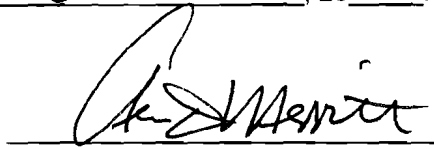
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4. The pond or reservoir established by the storage of water under this right shall not exceed a total capacity of 2.2 acre-feet.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of October, 2010.


FOR GARY SPACKMAN, Interim Director