

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 71-10934

Priority: July 14, 2010

Maximum Diversion Rate: 2.50 CFS

This is to certify, that UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND OR 97232-4181

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>RATE OF DIVERSION</u>
FISH PROPAGATION	01/01 to 12/31	2.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER CUSTER County	SE 1/4 NE 1/4 NE 1/4	Sec. 1, Twp 09N, Rge 13E, B.M.
GROUND WATER CUSTER County	L5 (SE 1/4 NW 1/4 SE 1/4)	Sec. 36, Twp 10N, Rge 13E, B.M.
GROUND WATER CUSTER County	L5 (SE 1/4 NW 1/4 SE 1/4)	Sec. 36, Twp 10N, Rge 13E, B.M.
GROUND WATER CUSTER County	NE 1/4 NE 1/4	Sec. 1, Twp 09N, Rge 13E, B.M.
GROUND WATER CUSTER County	L8 (SW 1/4 SE 1/4 SE 1/4)	Sec. 36, Twp 10N, Rge 13E, B.M.
GROUND WATER CUSTER County	L5 (NW 1/4 SE 1/4)	Sec. 36, Twp 10N, Rge 13E, B.M.
GROUND WATER CUSTER County	L5 (NW 1/4 SE 1/4)	Sec. 36, Twp 10N, Rge 13E, B.M.
GROUND WATER CUSTER County	L8 (SE 1/4 SE 1/4)	Sec. 36, Twp 10N, Rge 13E, B.M.

PLACE OF USE: FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	13E	36			X												X		
					L 4												L 5		

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CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2015**.
2. Subject to all prior water rights.
3. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
4. Use of water under this right shall be non-consumptive.
5. This right does not grant any right-of-way or easement across the land of another.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. 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.
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 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.
11. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15th day of September, 2010.

FOR



GARY SPACKMAN, Interim Director