

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-14138

Priority: September 29, 2008

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 0.5 AF

It is hereby certified that UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 24, 2008; and has
submitted Proof of Beneficial Use on January 23, 2009. An examination indicates that the works have a
diversion capacity of 0.03 cfs of water from:

SOURCE

WORTHINGTON SPRING
SPRING
UNNAMED STREAM

Tributary: SINKS
BIRCH CREEK
BIRCH CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.5 AF
WILDLIFE STORAGE	01/01 to 12/31		0.5 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRING	SW1/4SE1/4SW1/4	Sec. 28, Twp 16S, Rge 22E, B.M.	CASSIA County
WORTHINGTON SPRING	NW1/4NE1/4NW1/4	Sec. 33, Twp 16S, Rge 22E, B.M.	CASSIA County
UNNAMED STREAM	SW1/4SE1/4SW1/4	Sec. 28, Twp 16S, Rge 22E, B.M.	CASSIA County

PLACE OF USE: STOCKWATER STORAGE

[illegible]

PLACE OF USE: WILDLIFE STORAGE

[illegible]

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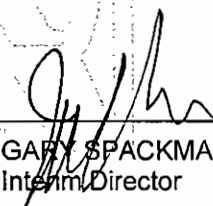
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CONDITIONS OF APPROVAL

1. Stockwater storage and wildlife storage are for a reservoir.
2. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The total diversion of water under this right, for all sources combined, shall not exceed 13,000 gallons per day.
5. Right Nos. 45-12924 and 45-14138 are limited to a total combined annual diversion volume of 0.5 AF.
6. This right authorizes the diversion of an annual total of 0.5 acre-feet to be used for the initial filling of the reservoir and for the replacement of losses caused by seepage, evaporation from reservoir, and stockwater and wildlife consumption.

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 22nd day of December, 2009.


for GARY SPACKMAN
Interim Director