

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09437

Priority: July 21, 2009

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 20.0 AF

This is to certify, that JAMES FISHBACK And/Or
ANNETTE FISHBACK
PO BOX 2163
SANDPOINT ID 83864
(208) 263-9336

has applied for a permit to appropriate water from:

Source: LOST LAKE**Tributary:** UNNAMED STREAM

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	0.15 CFS	
IRRIGATION	04/01 to 10/31	0.15 CFS	
IRRIGATION STORAGE	01/01 to 12/31		20.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		15.0 AF
FIRE PROTECTION	01/01 to 12/31	0.15 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		5.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LOST LAKE, NW1/4SW1/4, Sec. 25, Twp 58N, Rge 01W, B.M., BONNER County

PLACE OF USE: IRRIGATION same as IRRIGATION FROM 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	
58N 01W 25											5.0						5.0

Total Acres: 5

PLACE OF USE: IRRIGATION 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	
58N 01W 25											X						

PLACE OF USE: FIRE PROTECTION same as FIRE PROTECTION STORAGE

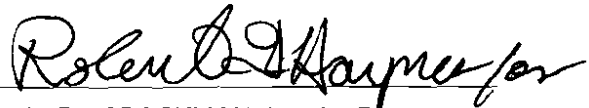
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N 01W 25											X						

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-09437

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2012**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
8. Right 96-9437 authorize the diversion of an annual total of 20.0 acre-feet to be used for the initial filling of the pond, irrigation storage, fire protection storage and for the replacement of losses caused evaporation.
9. The capacity of the storage pond is 2.0 AF. The pond may be refilled multiple times up to the total diversion volume in a single year.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 3rd day of December, 2009.


GARY SPACKMAN, Interim Director