

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 36-16156

Priority: April 09, 2003

Maximum Diversion Rate: 1.34 CFS

This is to certify, that CLEAR SPRINGS FOODS INC
PO BOX 712
BUHL ID 83316

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>
INDUSTRIAL	01/01 to 12/31	1.34 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NW¼SE¼ Sec. 2, Twp 09S, Rge 14E, B.M. GOODING County

PLACE OF USE: INDUSTRIAL, DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	2															X		

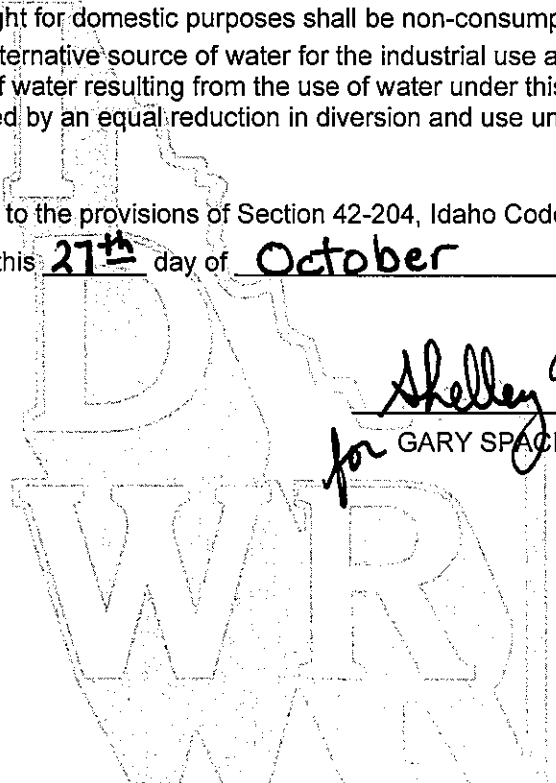
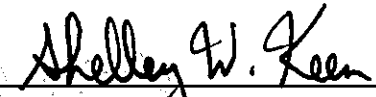
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November, 2010**.
2. Subject to all prior water rights.
3. 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.
4. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Rights 36-16156 and 36-7201 when combined shall not exceed a total diversion rate of 2.0 cfs for industrial and domestic purposes, nor more than 10.0 cfs total.
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.

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8. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
9. Domestic use is for 1 home and potable water within a food processing plant and does not include lawn, garden, landscape, or other types of irrigation.
10. 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.
11. Use of water under this right for domestic purposes shall be non-consumptive.
12. This right authorizes an alternative source of water for the industrial use authorized by Right 36-7201. Any depletion of water resulting from the use of water under this right for industrial purposes shall be mitigated by an equal reduction in diversion and use under Right 36-7201.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of October, 2009.



for GARY SPACKMAN, Interim Director