

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08169

Priority: February 21, 1989

Maximum Diversion Rate: 232.00 CFS
Maximum Diversion Volume: 79,000.0 AF

It is hereby certified that BIG WOOD CANAL CO
112 S APPLE ST
SHOSHONE ID 83352 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 02, 1984; and has
submitted Proof of Beneficial Use on March 05, 1986. An examination indicates that the works have a
diversion capacity of 370 cfs of water from:

SOURCE

LITTLE WOOD RIVER

Tributary: MALAD RIVER

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>
POWER	04/01 to 11/01	232.00 CFS	79,000.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE WOOD RIVER NE1/4NW1/4 Sec. 32, Twp 05S, Rge 16E, B.M.

GOODING County

PLACE OF USE: POWER

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S 16E 32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X										

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Use of water under this right shall be non-consumptive.
4. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

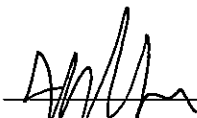
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5. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
6. 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. 37M Little Wood River
7. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after December 31, 2013 . Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
8. Rights 37-8169 and 37-8166 when combined shall not exceed a total diversion rate of 232 cfs, and a total annual maximum diversion volume of 79994.6 af.
9. This right authorizes an additional use of water diverted from the Little Wood River for irrigation purposes pursuant to other water rights. This right does not authorize the diversion and use of water in addition to water initially diverted to satisfy irrigation requirements.

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 12th day of August, 2009.


for GARY SPACKMAN
Interim Director