

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32659

Priority: March 27, 2009

Maximum Diversion Rate: 1.00 CFS

This is to certify, that SNAKE RIVER DAIRIES LLC
15188 S CAN ADA RD
MELBA ID 83641

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>
STOCKWATER	01/01 to 12/31	1.00 CFS
COMMERCIAL	01/01 to 12/31	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L3 (NW1/4SW1/4)	Sec. 7, Twp 01S, Rge 01W, B.M., ADA County
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GROUND WATER	NE1/4SW1/4	Sec. 7, Twp 01S, Rge 01W, B.M., ADA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 01W 7									X	X	X	X		X	X		
										L3	L4						

PLACE OF USE: COMMERCIAL

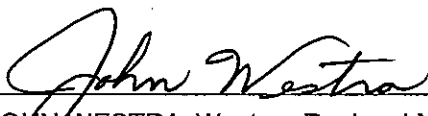
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 01W 7									X	X	X	X		X	X		
										L3	L4						

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CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2014**.
2. Subject to all prior water rights.
3. 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Stockwater use is for 2000 dairy cows.
7. Commercial use is for a dairy.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. 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.
11. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 11th day of May, 2009.


JOHN WESTRA, Western Regional Manager