

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 86-11985

Priority: September 05, 2008

Maximum Diversion Rate: 0.69 CFS
Maximum Diversion Volume: 171.1 AF

This is to certify, that AISC INC.
1311 BRUSH CREEK RD
DEARY ID 83823

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM**Tributary:** BRUSH CREEK

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>
IRRIGATION	04/01 to 10/31	0.64 CFS	
IRRIGATION STORAGE	01/01 to 12/31		169.5 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		96.0 AF
STOCKWATER	01/01 to 12/31	0.05 CFS	
STOCKWATER STORAGE	01/01 to 12/31		75.1 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		1.6 AF
WILDLIFE STORAGE	01/01 to 12/31		73.5 AF
RECREATION STORAGE	01/01 to 12/31		73.5 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		73.5 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM, NW¼SE¼, Sec. 30, Twp 40N, Rge 01W, B.M., LATAH County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
40N 01W 30																	5.0
40N 01W 31	25.0			2.0									2.0			3.0	27.0

Total Acres: 32

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PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
40N 01W 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X			

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
40N 01W 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													2.0			3.0	5.0
40N 01W 31	25.0				2.0												27.0

Total Acres: 32

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
40N 01W 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X	X	X	X	
40N 01W 31	X	X	X	X	X								X	X			
40N 01W 32						X	X										

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
40N 01W 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X			

PLACE OF USE: STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
40N 01W 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X	X	X	X	
40N 01W 31	X	X	X	X	X								X	X			
40N 01W 32						X	X										

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
40N 01W 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X			

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PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
40N	01W	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																X			

PLACE OF USE: FIRE PROTECTION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
40N	01W	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																X			

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. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
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. 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field head gate for irrigation of the lands above.
8. Stock water use is for 125 head of mixed stock.
9. This right when combined with 86-11985 shall not irrigate more than a total of 32 acres.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

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 7th day of May, 2009.

Robert D. Haynes for
DAVID R. TUTHILL, JR., Director