

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 37-08205

Priority: March 12, 1985

Maximum Diversion Rate: 5.00 CFS

This is to certify, that SUN VALLEY LAND & MINERALS INC
PO BOX 1959
SUN VALLEY ID 83353

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
HEATING	01/01 to 12/31	5.00 CFS
RECREATION	01/01 to 12/31	5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

[illegible]

PLACE OF USE: HEATING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N	17E	27																	
03N	17E	34	X	X			X		X								X	X	

PLACE OF USE: RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N	17E	27															X	X	
03N	17E	34	X	X			X		X	X									

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CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 17, 2009**.
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department. The permit holder shall submit a drilling prospectus to the Department for review and approval prior to any well construction. The permit holder is required to file and maintain a bond with the Department in the amount required by the Department prior to the construction of any well.
5. Use of water under this right shall be non-consumptive. If use is found to be consumptive in the future, the consumption must be replaced or the user of the water must cease diversion until a plan of replacement is implemented.
6. Water diverted must either be injected into the ground water or discharged to a natural stream.
7. Return flow discharged to a subsurface system must be authorized by a separate injection well permit and if return flow is discharged to a surface water system shall meet Idaho Water Quality Standards.
8. This right does not grant any right-of-way or easement across the land of another.
9. The heating use under this right is for heating 45 domestic dwellings, 115 townhouses, commercial office space, greenhouses, a gym, and an indoor pool.
10. The recreational use under this right is for a horse center, an indoor pool, gym, and tennis facilities.
11. Failure of the permit holder to comply with the conditions of approval of his permit shall be cause for the Department to cancel the permit pursuant to Section 42-311, Idaho Code.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of March, 2009.

FOR 
DAVID R. TUTHILL, JR., Director