

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 32-13275

Priority: August 01, 2008

Maximum Diversion Rate: 9.00 CFS

This is to certify, that JOHN D YOUNG And
M KATHLEEN YOUNG
1047 N 800 E
SHELLEY ID 83274

has applied for a permit to appropriate water from:

Source: MIDDLE CREEK**Tributary:** MEDICINE LODGE 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>
POWER	01/01 to 12/31	9.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

MIDDLE CREEK SW ¼ SW ¼ Sec. 32 Twp 13N Rge 34E, B.M. CLARK County

PLACE OF USE: POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
13N	34E	32																		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2013**.
2. Subject to all prior water rights.
3. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
4. The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
5. Use of water under this right shall be non-consumptive.
6. The rights for the use of water acquired under this right shall be junior and subordinate to all other 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 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 permit.
7. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 32-13275

8. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
9. 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.

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

Ernest M. Carlson
for DAVID R. TUTHILL, JR., Director