

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 71-10921

Priority: December 10, 2007

Maximum Diversion Rate: 1.22 CFS
Maximum Diversion Volume: 12.0 AF

This is to certify, that KETCHUM LONG ISLAND LLC
PO BOX 2238
KETCHUM ID 83340

has applied for a permit to appropriate water from:

Source: SALMON RIVER

Tributary: SNAKE RIVER

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>
AESTHETIC	01/01 to 12/31	1.22 CFS	
RECREATION	01/01 to 12/31	1.22 CFS	
AESTHETIC STORAGE	01/01 to 12/31		12.0 AF
RECREATION STORAGE	01/01 to 12/31		12.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER SW1/4SE1/4SW1/4 Sec. 10, Twp 07N, Rge 14E, B.M.
CUSTER County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 14E 10																X	

PLACE OF USE: RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 14E 10																X	

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 14E 10																X	

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PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 14E 10															X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2014**.
2. Subject to all prior water rights.
3. Water diverted under this right for aesthetic and recreation use shall be returned to the Salmon River.
4. The right holder shall install and maintain an impermeable liner in the pond(s) described by this right to eliminate seepage losses.
5. Recreation and aesthetic use of water under this right shall be non-consumptive.
6. Prior to diversion of water under this right, the right holder shall provide and maintain a means acceptable to the department to measure the amount of water diverted from the Salmon River and the amount of water returned to the Salmon River.
7. The rate of diversion for recreation and aesthetic purposes authorized by this right shall be junior and subordinate to all rights to the use of water, other than recreation and aesthetic purposes, within the State of Idaho that are initiated later in time than December 10, 2007 and shall not give rise to any right or claim against future rights to the use of water, other than recreation and aesthetic purposes, within the State of Idaho initiated later in time than December 10, 2007.
8. The Director retains jurisdiction to require a bypass flow for maintenance of fish, wildlife, riparian and aquatic habitat.
9. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
10. Right 71-10919 provides water for the evaporative losses associated with the storage described by this right.
11. 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. 170.
12. 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 Boise, this 21st day of January, 2009.

FOR

DAVID R. TUTHILL, JR., Director