

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 98-07876

Priority: June 19, 2008

Maximum Diversion Rate: 0.65 CFS

This is to certify, that ERIC E MADSON
PO BOX 1539
BONNERS FERRY ID 83805

has applied for a permit to appropriate water from:

Source: COW CREEK **Tributary:** KOOTENAI RIVER
UNNAMED STREAM COW 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>
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
IRRIGATION	04/01 to 10/31	0.45 CFS	
IRRIGATION STORAGE	01/01 to 12/31		250.8 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		237.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Twp 61N, Rge 01E, B.M. BOUNDARY County
UNNAMED STREAM NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Twp 61N, Rge 01E, B.M. BOUNDARY County
UNNAMED STREAM SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Twp 61N, Rge 01E, B.M. BOUNDARY County
COW CREEK SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, Twp 61N, Rge 01E, B.M. BOUNDARY County

PLACE OF USE: IRRIGATION and IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
61N	01E	13	5.0	17.0		21.0	79.0

Total Acres: 79

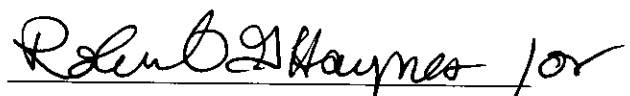
PLACE OF USE: IRRIGATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
61N	01E	13	X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 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. Water shall not be diverted under this right when flows in the Kootenai River are below established minimum flow amounts.
6. 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.
7. This right when combined with rights 98-117A and 98-117B cannot irrigate more than 79 acres.
8. 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 headgate for irrigation of the lands above.

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 15th day of December, 2008.


DAVID R. TUTHILL, JR., Director