

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 21-13080

Priority: December 24, 2007

Maximum Diversion Rate: 0.72 CFS

This is to certify, that THE WOODLANDS AT BILLS ISLAND LLC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
MUNICIPAL	01/01 to 12/31	0.72 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE¼NE¼	Sec. 25	Twp 13N	Rge 42E, B.M.	FREMONT County
GROUND WATER	NW¼NE¼	Sec. 25	Twp 13N	Rge 42E, B.M.	FREMONT County
GROUND WATER	NE¼NE¼	Sec. 25	Twp 13N	Rge 42E, B.M.	FREMONT County
GROUND WATER	NW¼NE¼	Sec. 25	Twp 13N	Rge 42E, B.M.	FREMONT County

CONDITIONS OF APPROVAL

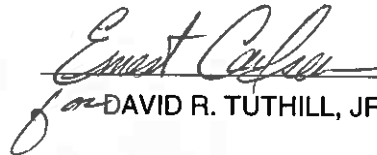
1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2013**.
2. Subject to all prior water rights.
3. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
4. Place of use is within the area served by the public water supply system of The Woodlands at Bills Island LLC. The place of use is generally located within Section 24 and 25, Township 13N, Range 42E and Section 30, Township 13N R43E.
5. Place of use is located within Lots 1-16, Blk. 1; Lot 1-14, Blk. 2; Lots 1-12, Blk. 3; The Woodlands at Bills Island LLC.
6. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
7. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
8. This right does not grant any right-of-way or easement across the land of another.

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9. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. Prior to or in connection with the proof of beneficial use statement to be submitted for municipal water use under this right, the right holder shall provide the department with documentation showing that the water supply system is being regulated by the Idaho Department of Environmental Quality as a public water supply and that it has been issued a public water supply number.
12. 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.
13. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15 day of December, 2008.


for DAVID R. TUTHILL, JR., Director



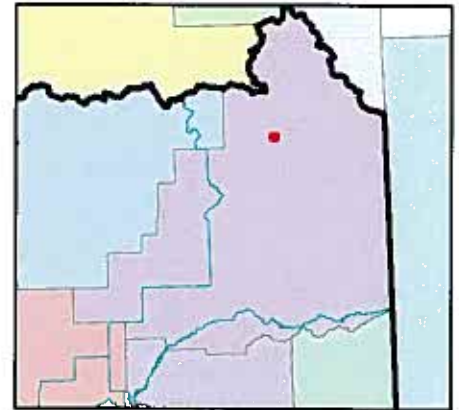
The Woodlands At Bills Island Llc

Permit Numbers: 21-13080

Legend

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters

Service Area Boundary
GIS Place of Use Illustration



Fremont County
IDWR Basin 21

R42E



Prepared by Sharla Cox
On November 25, 2008
2004 Aerial Photography

0 0.15 0.3 0.6 Miles