

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 65-23158

Priority: August 16, 2007

Maximum Diversion Rate: 1.12 CFS

This is to certify, that VILLAGE ASSOCIATES LLC
C/O KEN LENZ
WHITE LEASURE DEVELOPMENT CO
416 S 8TH ST STE 200
BOISE ID 83702

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>
COMMERCIAL	01/01 to 12/31	1.12 CFS
FIRE PROTECTION	01/01 to 12/31	1.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE¼NW¼ Sec. 15, Twp 09N, Rge 04E, B.M. BOISE County

GROUND WATER SE¼NW¼ Sec. 15, Twp 09N, Rge 04E, B.M. BOISE County

PLACE OF USE: COMMERCIAL AND FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	15			X				X										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2013**.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

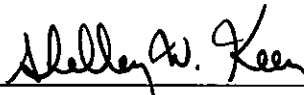
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7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
9. This right does not grant any right-of-way or easement across the land of another.
10. Commercial use may include the following: grocery store, retail shops, gas station, laundromat, bank, and a restaurant.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of July, 2008.


for DAVID B. TUTHILL, JR., Director