

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-23245

Priority: November 20, 2007

Maximum Diversion Rate: 0.97 CFS

This is to certify, that JAMES W SMITH And/Or MARY B SMITH
11606 CARTWRIGHT RD
BOISE ID 83703

have 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>
IRRIGATION	03/15 to 10/31	0.92 CFS
STOCKWATER	01/01 to 12/31	0.05 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW1/4SE1/4 Sec. 35, Twp 11N, Rge 01E, B.M., GEM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	01E	2			5.0														5.0
					L 2														
11N	01E	35														20.0	21.0		41.0

Total Acres: 46

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	01E	2			X														
					L 2														
11N	01E	35													X	X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2010**.
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.

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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. 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.
6. Use of water under this permit is supplemental to the extent it is determined by Squaw Creek Irrigation District that the above described place of use is eligible for storage water from Sage Hen Reservoir.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Stockwater use is for 200 range animals.
9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of April, 2008.



John Westra, Western Regional Manager