

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 1-10542

Priority: September 14, 2007

Maximum Diversion Rate: 25.80 CFS

This is to certify, that BRP INC
PO BOX 2563
IDAHO FALLS ID 83403

has applied for a permit to appropriate water from:

Source: SNAKE RIVER**Tributary:** COLUMBIA 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>
RECREATION	01/01 to 12/31	25.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER (SE¼SW¼NW¼) Sec. 35, Twp 02N, Rge 37E, B.M. BONNEVILLE County

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	
02N 37E 34													X			X	
02N 37E 35							X			X	X					L 4	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2009**.
2. Subject to all prior water rights.
3. 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. 01.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right shall be junior and subordinate to future water rights authorizing the diversion and use of water from the Snake River and its tributaries, including ground water, for consumptive uses, except that this right shall not be subordinate to future water rights for similar wildlife, recreation and/or aesthetic uses.
6. Use of water under this right shall be non-consumptive.
7. Recreation use is for flow-through water at Gem Lake Harbor.
8. This water right does not authorize the storage of water.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of March, 2008.

Shelley W. Keen
for DAVID R. TUTHILL, JR., Director