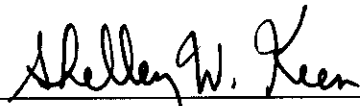


State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 15-07275

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 1, 2012**.
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. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. 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.
6. After specific notification by the Department, the right holder shall install suitable measuring devices on all authorized points of diversion, record the quantity of water diverted, and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. The water right holder may only divert water from Thomas Davis Creek when: (a) the flow of Thomas Davis Creek exceeds the flow rate claimed in Samaria Irrigation amended claim no. 15-4066 at Samaria Water and Irrigation Company's point of diversion; or (b) at any time Samaria Water and Irrigation Company is not diverting its full flow rate under amended claim no. 15-4066 and excess water is flowing past Samaria Water and Irrigation Company's point of diversion; or (c) at any time Samaria Water and Irrigation Company cannot divert water at its point of diversion and the water right holder can divert and beneficially use the water in Thomas Davis Creek.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of December, 2007.


for DAVID R. TUTHILL, JR., Director