

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-23064

Priority: June 29, 2006

Maximum Diversion Rate: 5.00 CFS

This is to certify, that NORTH LAKE RECREATIONAL SEWER & WATER DIST
PO BOX 729
DONNELLY ID 83615

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	5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼SE¼ Sec. 34, Twp 16N, Rge 03E, B.M. VALLEY County
GROUND WATER NE¼SE¼ Sec. 34, Twp 16N, Rge 03E, B.M. VALLEY County
GROUND WATER SE¼SE¼ Sec. 34, Twp 16N, Rge 03E, B.M. VALLEY County
GROUND WATER NW¼SE¼ Sec. 4, Twp 15N, Rge 03E, B.M. VALLEY County
GROUND WATER NW¼SE¼ Sec. 4, Twp 15N, Rge 03E, B.M. VALLEY County
GROUND WATER SE¼SE¼ Sec. 34, Twp 16N, Rge 03E, B.M. VALLEY County

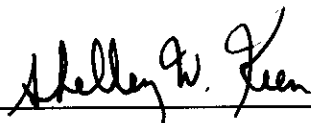
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 1, 2012**.
2. Subject to all prior water rights.
3. Place of use is within Day Star Water Service Area as provided for under Idaho law. The place of use is generally described as Sections 2, 3, 4, 9, 10, and 11 Township 15N, Range 3E and Sections 26, 34, and 35 Township 16N, Range 3E.
4. 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.
5. 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.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-23064

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 determine the amount of water diverted from power records and shall annually report the information to the Department.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
11. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
12. In connection with the proof of beneficial use submitted for this permit, the permit holder shall also submit a report showing the total annual volume, the maximum daily volume, and the maximum instantaneous rate of flow diverted from the point of diversion authorized for this permit during the development period. The report shall also show the maximum instantaneous rate of diversion, either measured or reasonably estimated by a qualified professional engineer, geologist, or certified water rights examiner, for the entire Day Star municipal water system. The report shall also describe and explain how water diverted under this permit provides an additional increment of beneficial use of water for the Day Star municipal water system as opposed to an alternative point of diversion for prior water rights already held and used by the Day Star for its municipal water system.
13. Failure of the right holder to comply with any condition of approval is cause for the Director to void 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 29th day of November, 2007.

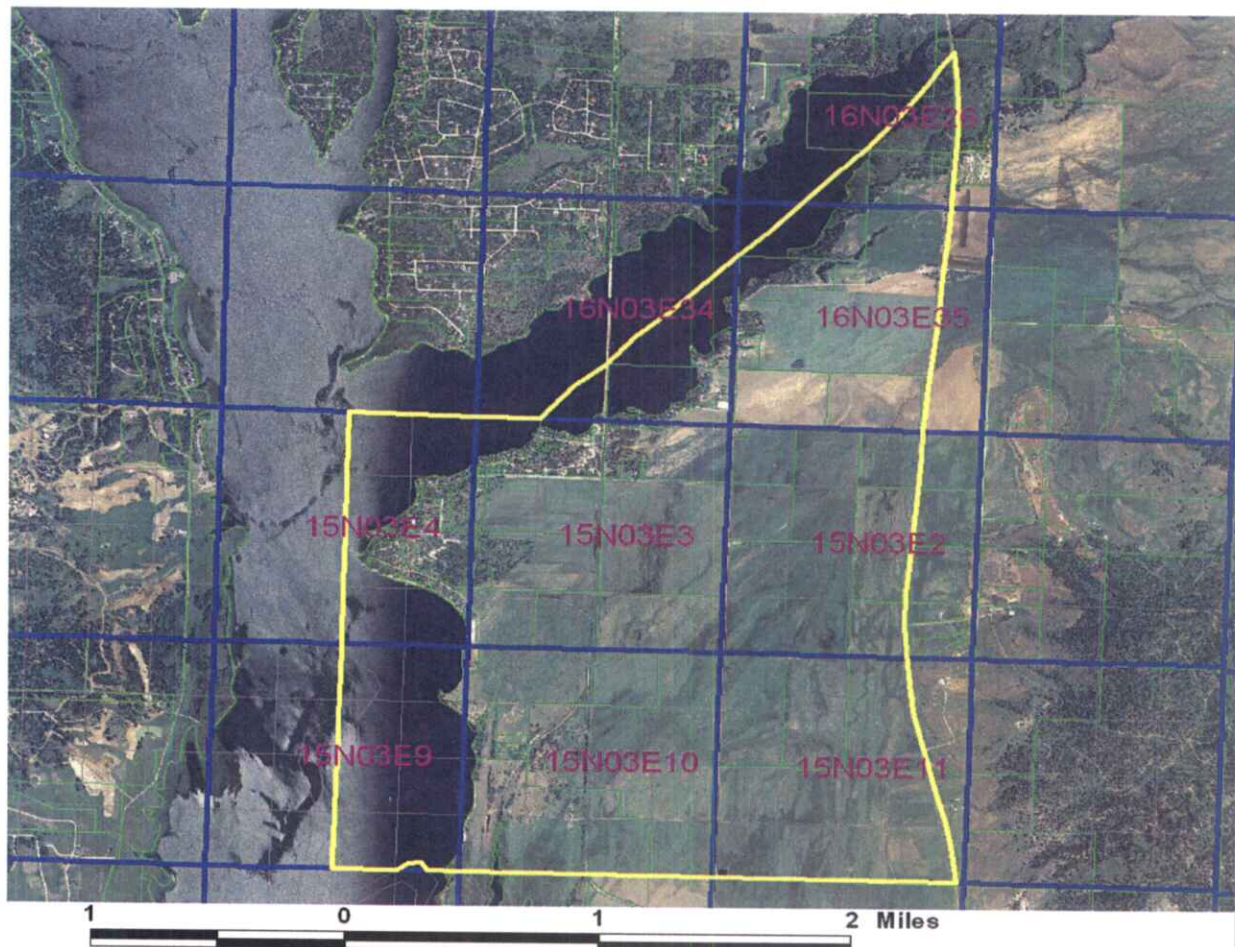

for DAVID R. TUTHILL, JR., Director

Permit to Appropriate Water

NO. 65-23064

Digital Boundary for Day Star Service Area

November 21, 2007



-  **Place of Use Boundary**
 -  **Sections**
 -  **Valley County Taxlots**

