

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 02-10334

Priority: April 03, 2007

Maximum Diversion Rate: 1.10 CFS

This is to certify, that RICHARD A SYMMS And/Or WEBB LLP
14068 SUNNY SLOPE RD
CALDWELL ID 83607

have 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>
IRRIGATION	03/01 to 11/15	1.10 CFS

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L1 (NW1/4NW1/4) Sec. 23, Twp 02N, Rge 04W, B.M., OWYHEE 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	
02N 04W 10															40.0		40.0
02N 04W 15							14.5										14.5

Total Acres: 54.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2008**.
2. Subject to all prior water rights.
3. 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.
4. Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.
5. Rights 02-2392 and 02-7077 are also diverted through the point of diversion described above.
6. This right does not authorize the construction of a new point of diversion.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of October, 2007.


For DAVID R. TUTHILL, JR., Director