

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 77-14145

Priority: August 8, 2002

Maximum Diversion Rate: 0.27 CFS

This is to certify, that UNIVERSITY OF IDAHO REGENTS
C/O REAL ESTATE OFFICER
ADMINISTRATIVE AFFAIRS
MOSCOW ID 83844-3162

has applied for a permit to appropriate water from:

Source: PIONEER CREEK**Tributary:** BIG CREEK

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>
POWER	01/01 to 12/31	0.27 CFS

LOCATION OF POINT(S) OF DIVERSION:PIONEER CREEK NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, Twp 20N, Rge 13E, B.M. VALLEY County**PLACE OF USE:** POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	13E	3				X													

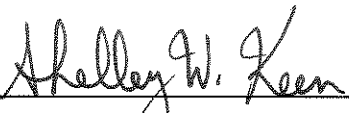
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2012**.
2. Subject to all prior water rights.
3. Use of water under this right shall be non-consumptive.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
5. The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
6. The rights for the use of water acquired under this right shall be junior and subordinate to all other rights for the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

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7. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
8. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
9. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
10. Right 77-2219 is also diverted through the point(s) of diversion described above.
11. Place of use is unsurveyed and the point of diversion could also be listed in the NESE and the place of use could also be listed in the SENE or the N1/2 of the SE.
12. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 8th day of August, 2007.


for DAVID R. TUTHILL, JR., Director