

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22938

Priority: January 24, 2005

Maximum Diversion Rate: 0.50 CFS
Maximum Diversion Volume: 9.0 AF

This is to certify, that WALTER BUECHLER
1192 E BRAEMERE RD
BOISE ID 83702

has applied for a permit to appropriate water from:

Source: GROUND WATER
UNNAMED STREAM

Tributary: LAKE FORK CREEK
LAKE FORK 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>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	09/16 to 04/30	0.50 CFS	
RECREATION	09/16 to 04/30	0.50 CFS	
RECREATION STORAGE	01/01 to 12/31		9.0 AF

LOCATION OF POINTS OF DIVERSION:

UNNAMED STREAM NW¼ SE¼ Sec. 3, Twp 17N, Rge 03E, B.M. VALLEY County
GROUND WATER SE¼ SW¼ Sec. 3, Twp 17N, Rge 03E, B.M. VALLEY County
GROUND WATER SW¼ SE¼ Sec. 3, Twp 17N, Rge 03E, B.M. VALLEY County

PLACE OF USE: RECREATION, RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 03E 3												X				X	

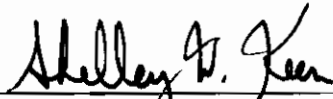
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2009**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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. 65-K.
5. Recreation use is consumptive to the extent that they are necessary to replenish evaporation losses from the ponds authorized by this right.
6. 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.

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7. 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.
8. 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.
9. 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 27th day of April, 2007.


for DAVID R. TUTHILL, JR., Director