

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 72-16692

Priority: January 4, 2006

Maximum Diversion Rate: 0.29 CFS

This is to certify, that JOLENE OGDEN
And
MARSHALL D OGDEN
HC 67 BOX 550
CLAYTON ID 83227

has applied for a permit to appropriate water from:

Source: FRENCH CREEK**Tributary:** SALMON 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	04/01 to 10/31	0.29 CFS

LOCATION OF POINT(S) OF DIVERSION:FRENCH CREEK SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp 11N, Rge 17E, B.M. CUSTER CountyFRENCH CREEK NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp 11N, Rge 17E, B.M. CUSTER 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	
11N 17E 28							2.6 L 2				2.6						5.2
11N 17E 29				8.5 L 10									14.0				22.5

Total Acres: 27.7

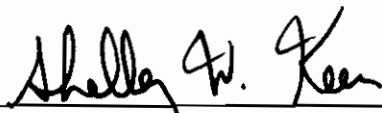
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 1, 2010**.
2. Subject to all prior water rights.
3. This permit is limited to the irrigation of 14.7 acres within the place of use described above in a single irrigation season. Right 72-16691 provides water to the other 13.0 acres irrigated within the place of use described above.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 72-16692

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. 170.
5. Prior to the diversion and use of water under this permit approval, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
8. The diversion and use of water described in 72-16692 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.
9. 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.
10. 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.
11. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
12. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of April, 20 07.


for DAVID R. THILL, JR., Director