

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-32003

Priority: October 15, 2004

Maximum Diversion Rate: 0.26 CFS
Maximum Diversion Volume: 10.1 AF

This is to certify, that MARLIN LAND OWNERS LLC
984 W CORPORATE LN #201
NAMPA ID 83651

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>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.12 CFS	10.1 AF
FIRE PROTECTION	01/01 to 12/31	0.26 CFS	

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SE¼ SW¼ SE¼ Sec. 6, Twp 02N, Rge 03W, B.M. CANYON County

GROUND WATER NW¼ SE¼ Sec. 6, Twp 02N, Rge 03W, B.M. CANYON County

PLACE OF USE: DOMESTIC

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 03W 6														X	X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2007**.
2. Subject to all prior water rights.
3. Domestic use is for 36 homes and does not include lawn, garden, landscape, or other types of irrigation.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
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.
6. Points of diversion are located within Lot 10, Blk. 2; and Lot 2, Block 3; West River Subdivision.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Water bearing zone to be appropriated is from 250 to 500 feet.
9. Only one well may be operated at a time under this water right except in the case of a fire unless the Department expressly approves a method of measurement and reporting that insures adherence to annual volume limitations while water is pumped from both wells simultaneously.

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10. Prior to diversion of water under this right, the water right holder must install an in-line measuring device in the mainline from its wells that will accurately measure the instantaneous flow from the wells, record the maximum flow for a given month, and will measure, total, and record the total volume of water diverted from the wells. The totalizer function of the measuring devices must be capable of totalizing several years of volume diverted, and must not allow the operator to reset the volume totalizer. The measuring devices must be a propeller, ultrasonic, magnetic meter or another meter expressly approved by IDWR. The measuring devices must be calibrated after installation with an independent, reliable, portable measuring device that has been pre-calibrated to a known flow rate. The measuring devices must be re-calibrated at least every three years after the first calibration.
11. The water right holder must read the measuring devices and record the information read at least monthly. The water right holder must read and record the maximum flow rate diverted from each well and the totalizer readings of volume diverted. The water right holder must also maintain records of the dates of measuring device calibration, the method of calibration, and who performed the calibration. These records must be maintained by the water right holder at all times and must be submitted to the Department at any time the Department requests the records.
12. Place of use is located within Lots 1-6, Blk. 1; Lots 1-12, Blk. 2; and Lots 1-18, Blk. 3; West River Subdivision.
13. 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 June, 2006.


for KARL J DREHER, Director