

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 71-07178

Priority: August 10, 1998

Maximum Diversion Volume: 5.5 AF

This is to certify, that PATRICK W LEE
C/O JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

And/Or

JOHN T BROWN
PO BOX 61
SUN VALLEY ID 83353

has applied for a permit to appropriate water from:

Source: LOST CREEK

Tributary: SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	5.5 AF

LOCATION OF POINT(S) OF DIVERSION:

LOST CREEK	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 08N, Rge 14E, B.M.	CUSTER County
LOST CREEK	SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 08N, Rge 14E, B.M.	CUSTER County

PLACE OF USE: WILDLIFE 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	
08N 14E 34															X		

CONDITIONS OF APPROVAL

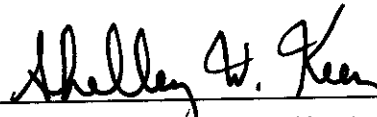
1. Proof of application of water to beneficial use shall be submitted on or before **July 1, 2008**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. This right is for two reservoirs totaling 5.5 af. The total combined diversion volume under this right and Right 71-7179 shall not exceed 5.5 acre feet plus the amount necessary to replace evaporation and seepage losses from the reservoirs, up to a combined maximum of 11 af.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.

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CONDITIONS OF APPROVAL CONTINUED

6. 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.
7. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoirs and the amount of water released from the reservoirs.
8. 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.
9. The diversion and use of water described in this right may be subject to additional conditions and 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of June, 2006.


FOR KARL J DREHER, Director