

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 37-21719

Priority: March 22, 2006

Maximum Diversion Rate: 0.11 CFS

This is to certify, that WILD WEST INC  
525 RIVERSIDE AVE  
LYNDHURST NJ 07071

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> |
|-----------------------|----------------------|--------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.11 CFS                 |

**LOCATION OF POINT OF DIVERSION:**

GROUND WATER SW¼ NW¼ NW¼ Sec. 13, Twp 05S, Rge 17E, B.M. LINCOLN 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 |        |
| 05S 17E 13  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

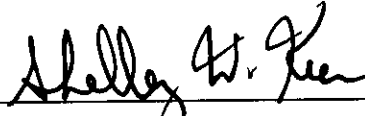
**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2008**.
2. Subject to all prior water rights.
3. Domestic use is for 25 retail businesses and does not include lawn, garden, landscape, or other types of irrigation.
4. The domestic use authorized under this right shall not exceed 0.04 cfs and 2500 gallons per day in each business.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 130.
7. Prior to diversion of water under this right, the right holder shall install a measuring device and lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
8. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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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. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15<sup>th</sup> day of June, 2006.

  
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FOR KARL J. DREHER, Director