

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 92-10020

Priority: July 14, 2005

Maximum Diversion Rate: 0.20 CFS

This is to certify, that WESLEY CASE
HC01 BOX 14
AVERY ID 83802

has applied for a permit to appropriate water from:

Source: CARPENTER CREEK **Tributary:** ST MARIES 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	0.20 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

CARPENTER CREEK SE¼NE¼ Sec. 7, Twp 43N, Rge 01E, B.M. BENEWAH County
CARPENTER CREEK SE¼NE¼ Sec. 7, Twp 43N, Rge 01E, B.M. BENEWAH 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	
43N 01E 7	2.0			15.0													17.0

Total Acres: 17

PLACE OF USE: STOCKWATER AND FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N 01E 7	X			X													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2010**.
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. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish passage and fish screening requirements of the Idaho Department of Fish and Game.

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CONDITIONS OF APPROVAL CONTINUED

5. Water shall not be diverted under this right when flows in the St. Maries River are below established minimum flow amounts. The right holder shall be responsible for monitoring the daily flow of the St. Maries River near Santa using real-time data published on the Internet by the U. S. Geological Survey and shall cease diverting water when flows in the St. Maries River are below established minimum instream flow amounts.
6. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
7. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
8. Stockwater use is for 25 mixed stock.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
10. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
11. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. Failure of the right holder to comply with any condition of approval is cause for the Director to void 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 23RD day of December, 2005.


FOR KARL J. DREHER, Director