

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 37-21338

Priority: August 19, 2004

Maximum Diversion Rate: 2.02 CFS
Maximum Storage Volume: 31.0 AF

This is to certify, that THE VALLEY CLUB INC
PO BOX 252
SUN VALLEY ID 83353

has applied for a permit to appropriate water from:

Source: BIG WOOD RIVER

Tributary: MALAD 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>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	04/15 to 10/31		31.0 AF
AESTHETIC	04/15 to 10/31	2.02 CFS	
RECREATION	04/15 to 10/31	2.02 CFS	
DIVERSION TO STORAGE	04/15 to 10/31	2.02 CFS	
RECREATION STORAGE	04/15 to 10/31		31.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SW¼NW¼ Sec. 20, Twp 03N, Rge 18E, B.M. BLAINE County

PLACE OF USE: AESTHETIC, AESTHETIC STORAGE, RECREATION, & RECREATION 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	
03N	18E	29																	
			X													X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 1, 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. 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. 37.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. Use of water under this right shall be non-consumptive. Mitigation for the evaporation of water stored for recreation and aesthetic purposes under this right is provided by Rt. 37-657A (Claim No. 37-657B in the Snake River Basin Adjudication) as approved by Transfer 71721.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 37-21338

CONDITIONS OF APPROVAL CONTINUED

7. Filling of the reservoir(s) established in connection with this right is consumptive to the Big Wood River system. The right holder shall provide the volume of water to fill and/or refill the reservoir(s) from some other authorized source of water, such as the Water Supply Bank operated by the Water Resource Board, or the right holder shall mitigate for the volume of water diverted and stored under this right. If the right holder employs the mitigation option for filling the reservoir(s), the right holder's mitigation plan shall be approved by the Department prior to the diversion of water to storage under this right.
8. This right when combined with right 37-657A (Claim No. 37-657B in the SRBA) shall not exceed a total diversion rate of 2.02 cfs.
9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 4th day of November, 2005.


FOR KARL J DREHER, Director