

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 29-13712

Priority: April 11, 2005

Maximum Diversion Rate: 0.04 CFS

This is to certify, that MOOSE MOUNTAIN SUBDIVISION
C/O STUART NELSON
2630 N INKOM RD
INKOM ID 83245

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	0.04 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 23, Twp 07S, Rge 36E, B.M., BANNOCK County
GROUND WATER	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 23, Twp 07S, Rge 36E, B.M., BANNOCK County
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 23, Twp 07S, Rge 36E, B.M., BANNOCK County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 36E 23	X	X						X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Domestic use is for 2 homes.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
8. Points of diversion are located within Lots 1 & 3, Blk. 1, and Lot 1, Blk. 3, Moose Mountain Subdivision.

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9. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 22nd day of July, 2005.


FOR _____
KARL J DREHER, Director