

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 22-13306

Priority: July 29, 2004

Maximum Diversion Rate: 1.42 CFS

This is to certify, that TOM HUNTER
PO BOX 4310
JACKSON WY 83001

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	1.42 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 23, Twp 04N, Rge 45E, B.M., TETON County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 23, Twp 04N, Rge 45E, B.M., TETON 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
04N 45E 23													X	X	X	X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2009**.
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 97 homes.
6. Points of diversion are located within Lot 63 and Lot 46, Fox Creek County Club Estates Subdivision.
7. Place of use is located within Lots 4 - 27, 29 - 72, and A1 - A25, Fox Creek County Club Estates Subdivision.
8. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision 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.
9. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
10. 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.

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11. 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 13th day of December, 2004.


FOR KARL J DREHER, Director