

State of Idaho
 Department of Water Resources
Water Right License

WATER RIGHT NO. 1-07011

Priority: March 30, 1977

Maximum Diversion Rate: 5,714.70 CFS
 Maximum Diversion Volume: 2,390,000.0 AF

It is hereby certified that NORTH SIDE CANAL CO LTD
 921 N LINCOLN AVE
 JEROME ID 83338

And

TWIN FALLS CANAL CO
 PO BOX 326
 TWIN FALLS ID 83301

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 30, 1977; and have submitted Proof of Beneficial Use on October 29, 1993. An examination indicates that the works have a diversion capacity of 5714.7 cfs of water from:

SOURCE

SNAKE RIVER

Tributary: COLUMBIA RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
POWER	01/01 to 12/31	5,714.70 CFS	2,390,000.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER NW1/4SW1/4 Sec. 28, Twp 10S, Rge 21E, B.M.	TWIN FALLS County
SNAKE RIVER L8 (NE1/4SE1/4) Sec. 29, Twp 10S, Rge 21E, B.M.	TWIN FALLS County

PLACES OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE													
10S 21E 29																	X
10S 21E 30			X														L 8

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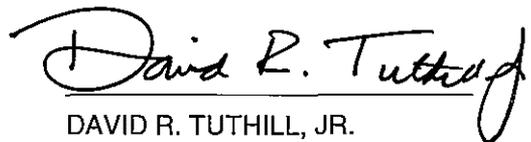
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CONDITIONS OF APPROVAL

1. The diversion and use of water for hydropower purposes under this water right shall be subordinate to all subsequent upstream beneficial depletionary uses, other than hydropower, within the Snake River Basin of the state of Idaho that are initiated later in time than the priority of this water right and shall not give rise to any right or claim against any junior-priority rights for the depletionary or consumptive beneficial use of water, other than hydropower, within the Snake River Basin of the state of Idaho initiated later in time than the priority of water right no. 01-7011.
2. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
3. Use of water under this right shall be non-consumptive.
4. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
5. The diversion and use of water for hydropower purposes under this water right is subject to review by the Director after the date of expiration of Milner Project License No. 2899 (11/30/2038) issued by the Federal Energy Regulatory Commission. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 20th day of October, 2008.



DAVID R. TUTHILL, JR.
Director