

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 65-22947

RECEIVED

AUG 08 2019

WATER RESOURCES
WESTERN REGION

Priority: January 14, 2005

Maximum Diversion Rate: 0.17 CFS

Maximum Diversion Volume: 3.2 AF

The owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-22947

KENNETH D DONLEY 5268 S YARROW AVE BOISE ID 83716

requests the permit be changed as follows:

Source : ANDERSON CREEK

Tributary: MIDDLE FORK PAYETTE
RIVER

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		2.8 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		2.8 AF
AESTHETIC STORAGE	01/01 to 12/31		0.4 AF
RECREATION STORAGE	01/01 to 12/31		0.4 AF
DIVERSION TO STORAGE	03/15 to 10/31	0.17 CFS	

Location of Point(s) of Diversion

GROUND WATER SW¼ NE¼, Sec. 23, Twp 09N, Rge 04E, B.M. BOISE County

ANDERSON CREEK SE¼ NE¼, Sec. 23, Twp 09N, Rge 04E, B.M. BOISE County

Place of Use: IRRIGATION FROM STORAGE

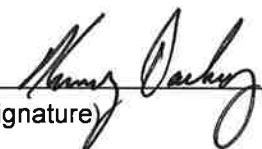
Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	23			0.8														0.8

Total Acres: 0.8

Place of Use: IRRIGATION STORAGE, AESTHETIC STORAGE, and RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	23			X														0.0

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 17th day of July, 2019.

(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by  Fee = \$100 Received by KT # W047656 Date 8/8/19

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 65-22947 with the following:

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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. 65.
3. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Right 65-22947 authorizes the storage of an annual total of 3.2 acre-feet, comprised of 0.34 acre-feet to be used for the initial filling or carryover storage of the pond, 0.1 acre-feet for the replacement of losses due to seepage and evaporation, and up to 2.8 for additional refills for irrigation from storage use.
6. The pond established by the storage of water under this right shall not exceed a total capacity of 0.34 acre-feet or a total surface area of 0.5 acres.
7. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
8. Recreation use is for fishing and swimming.
9. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph

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shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 27th day of August, 20 19.



NICK MILLER
Manager, IDWR Western Region

State of Idaho
Department of Water Resources

Attachment to Application for Amendment 65-22947

This map depicts the AESTHETIC STORAGE, RECREATION STORAGE, & IRRIGATION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

04E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles

