

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 15-07212

RECEIVED
APR 09 2015
Department of Water Resources
Eastern Region

Date of Priority: August 27, 2001

Maximum Diversion Rate: 2.98 CFS
Maximum Diversion Volume: 521.5 AF

Comes now RICHARD A WARD
640 W 600 N
MALAD ID 83252

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 15-07212, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.98 CFS	521.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SW1/4 Sec. 34, Twp 13S, Rge 35E, B.M.
ONEIDA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 35E 34									32.0	10.0	19.0	32.0					93.0
14S 35E 3					32.0		24.0										56.0

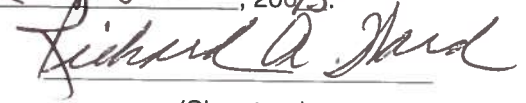
Total Acres: 149

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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 8th day of April 4-8, 20015.



(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 100 - Received by SC # 2040880 Date 4/9/15

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 15-07212 with the following:

CONDITIONS OF APPROVAL

1. 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.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 23rd day of April, 2015.


for GARY SPACKMAN
Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 31, 2015

RICHARD WARD
640 W 600 N
MALAD, ID 83252

RECEIVED

APR 09 2015

Department of Water Resources
Eastern Region

RE: Water Right Permit No. 15-7212

Dear Mr. Ward,

I am currently reviewing the permit referenced above as part of the process to convert it to a license. As part of that review, I am required to compare the place of use for the water as permitted versus as developed. During the review, I found that water was developed on land that was not authorized by the permit.

Specifically, a total of 29 acres were developed in the NESW and NWSW of Section 34, T13S, R35E. Those two quarter-quarter sections were not authorized by the permit. For more information, please review the enclosed map. Also for your information, I have included a copy the original permit, which includes an authorized land-list.

Development that does not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. The request is made through an Application for Amendment. I have enclosed a completed Application for Amendment for your review. Please review the amendment form carefully as it depicts the elements of the water right as they will appear on the license when it is issued.

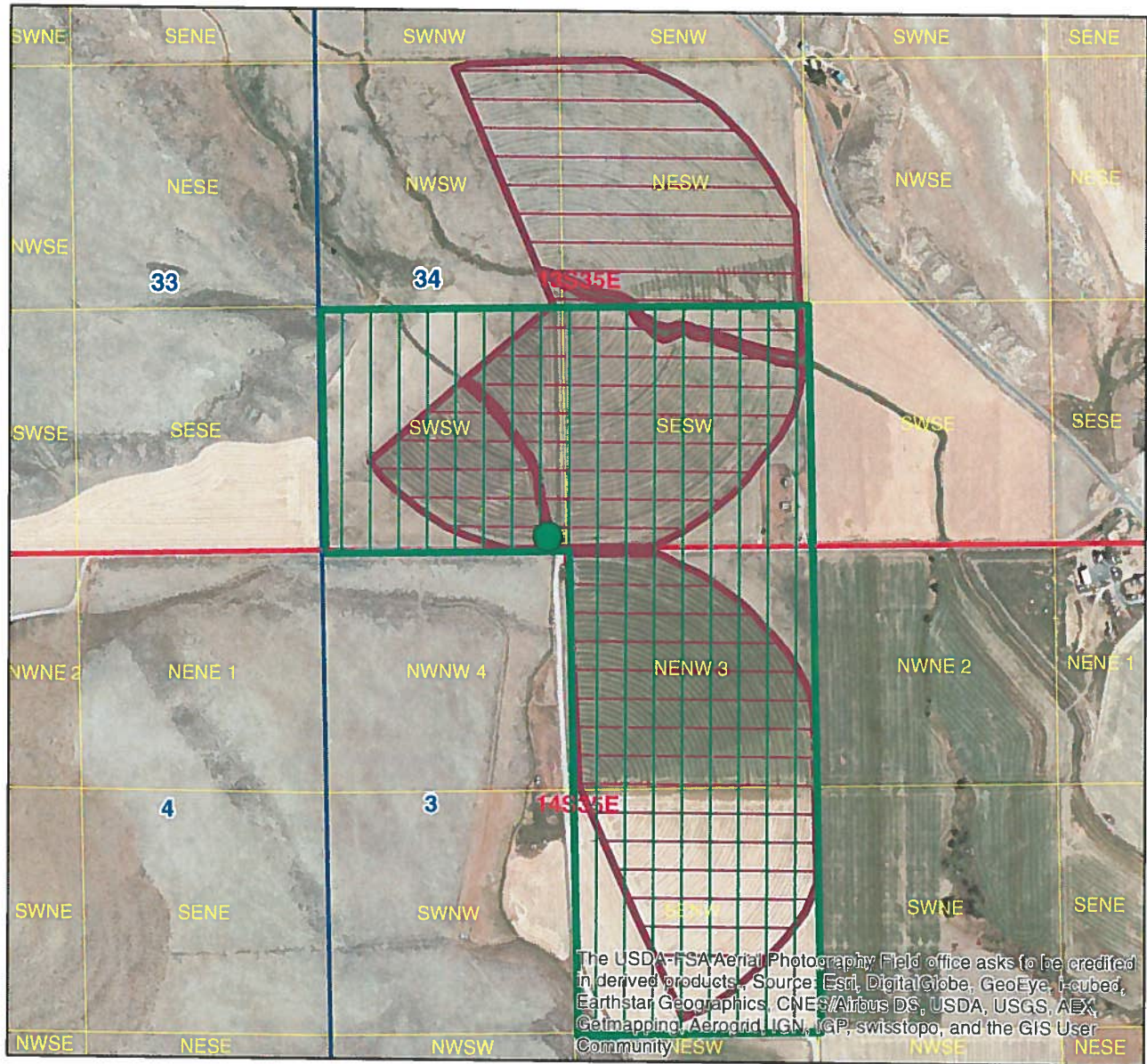
If you concur with the information presented in the form, please sign it and return it with the \$100 filing fee within 14 days of this letter.

If you have any questions, please do not hesitate to call me.

Sincerely,

Cooper Fritz
Water Resources Agent

15-7212 POU as Permitted Vs. Developed



2012 Imagery

