

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 22-07589

RECEIVED

FEB 19 2013

Department of Water Resources
Eastern Region

Date of Priority: September 27, 1988

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 6.0 AF

Comes now **KONA RESIDENCE TRUST
ALLEN D ISRAEL TRUSTEE
C/O FOSTER PEPPER & SHEFELMAN
1111 THIRD AVE STE 3400
SEATTLE WA 98101**

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. 22-07589, 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>
COMMERCIAL	01/01 to 12/31	0.06 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SW1/4SW1/4 Sec. 8, Twp 06N, Rge 46E, B.M.
TETON County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	46E	8											X						

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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 29th day of January, 2003.

Susan Drake
(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 100 Received by BJ # E038414 Date 2/19/2013

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. 22-07589 with the following:

CONDITIONS OF APPROVAL

1. 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.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Witness my hand this 19th day of February, 2013.


GARY SPACKMAN
Director