

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)

**WATER RIGHT NO. 57-11711**

**Date of Priority:** November 01, 2007

Maximum Diversion Rate: 0.60 CFS

Maximum Diversion Volume: 134.1 AF

Comes now HART CREEK RANCH LLC  
24597 COLLETT RD  
OREANA ID 83650

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. 57-11711, and requests that the permit be changed as follows:

**Source:** GROUND WATER

| <b><u>BENEFICIAL USE</u></b> | <b><u>PERIOD OF USE</u></b> | <b><u>RATE OF DIVERSION</u></b> | <b><u>ANNUAL VOLUME</u></b> |
|------------------------------|-----------------------------|---------------------------------|-----------------------------|
| IRRIGATION                   | 03/01 to 11/15              | 0.60 CFS                        | 134.1 AF                    |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SW1/4SW1/4 Sec. 25, Twp 04S, Rge 01W, B.M. OWYHEE County

GROUND WATER SW1/4SE1/4 Sec. 26, Twp 04S, Rge 01W, B.M. OWYHEE 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 |        |
| 04S 01W 25  |    |    |    |    |    |    |    |    |    |    | 26.0 |    |     |    |     |    | 26.0   |
| 04S 01W 26  |    |    |    |    |    |    |    |    |    |    |      |    | 1.0 |    | 2.8 |    | 3.8    |

Total Acres: 29.8

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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 2<sup>nd</sup> day of October, 20012

  
(Signature)



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RECEIVED  
OCT 2 2012  
DEPARTMENT OF  
WATER RESOURCES

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FOR DEPARTMENT USE ONLY

Preliminary check by DAN Fee = 4100 Received by HO # C096062 Date 10-2-2012

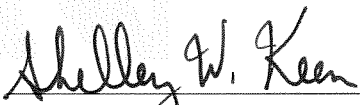
**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 57-11711 with the following:

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. 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 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.
4. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

Witness my hand this 23<sup>rd</sup> day of November, 2012.

  
for GARY SPACKMAN  
Director