



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

09/26/2012

FALLS WATER CO INC
2180 N DEBORAH DR
IDAHO FALLS ID 83401

RE: Water Right Permit No. 25-14114

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

_____ Point(s) of Diversion

☒ Place(s) of Use

_____ Other

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at (208)287-4920.

Sincerely,

A handwritten signature in cursive script, reading "Sandy Hemerway".

Sandy Hemerway
Sr. Water Resource Agent

Enclosure(s)

cc: HOLDEN KIDWELL HAHN & CRAPO PLLC

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 25-14114

Date of Priority: August 26, 2004

Maximum Diversion Rate: 9.56 CFS

Comes now FALLS WATER CO INC
2180 N DEBORAH DR
IDAHO FALLS ID 83401 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. 25-14114, and requests that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

9.56 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 14,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 14,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 14,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County
GROUND WATER	NE1/4SE1/4	Sec. 10,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 11,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 14,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 14,	Twp 02N,	Rge 38E, B.M. BONNEVILLE County

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 _____ day of _____, 2012.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 25-14114

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

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. 25-14114 with the following:

CONDITIONS OF APPROVAL

1. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
2. Place of use is within the area served by the public water supply system of Falls Water Co. Inc. The place of use is generally located within T2N R38E, Sections. 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, and 24.
3. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
4. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
5. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
6. The following rights are diverted through point(s) of diversion described above: 25-14114, 25-7148, 25-7191, 25-7418, 25-7509, 25-14035, 25-14055, 25-14326 and 25-14327.
7. 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.120.
8. 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(s).

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

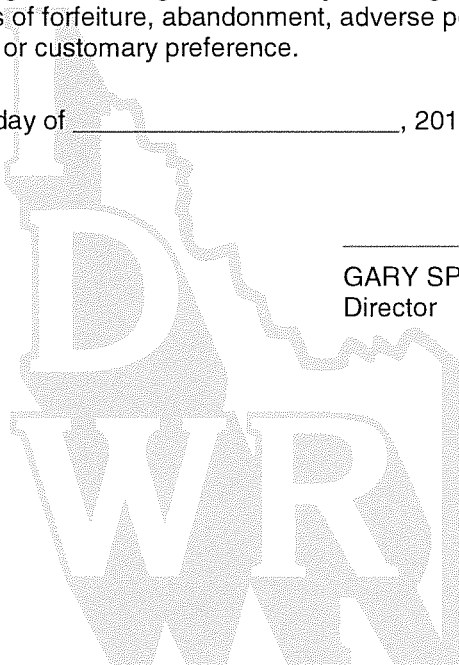
(For Licensing Purposes)

WATER RIGHT NO. 25-14114

9. Diversion and use of water under this right in conjunction with water right nos. 25-7148, 25-7191, 25-7418, 25-7509, 25-14035 and 25-14055 is limited to a total annual volume of 3,730.4 acre-feet.
10. Rights 25-14326 and 25-14327 when combined shall not exceed a total diversion rate of 4.57 cfs, a total annual maximum diversion volume of 1240.0 af at the field headgate, and the irrigation of 310.0 acres.
11. Rights 25-7148, 25-7191 and 27-7509 when combined shall not exceed a total annual maximum diversion volume of 1739.1 af.
12. 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.

Witness my hand this _____ day of _____, 2012.

GARY SPACKMAN
Director

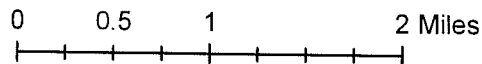
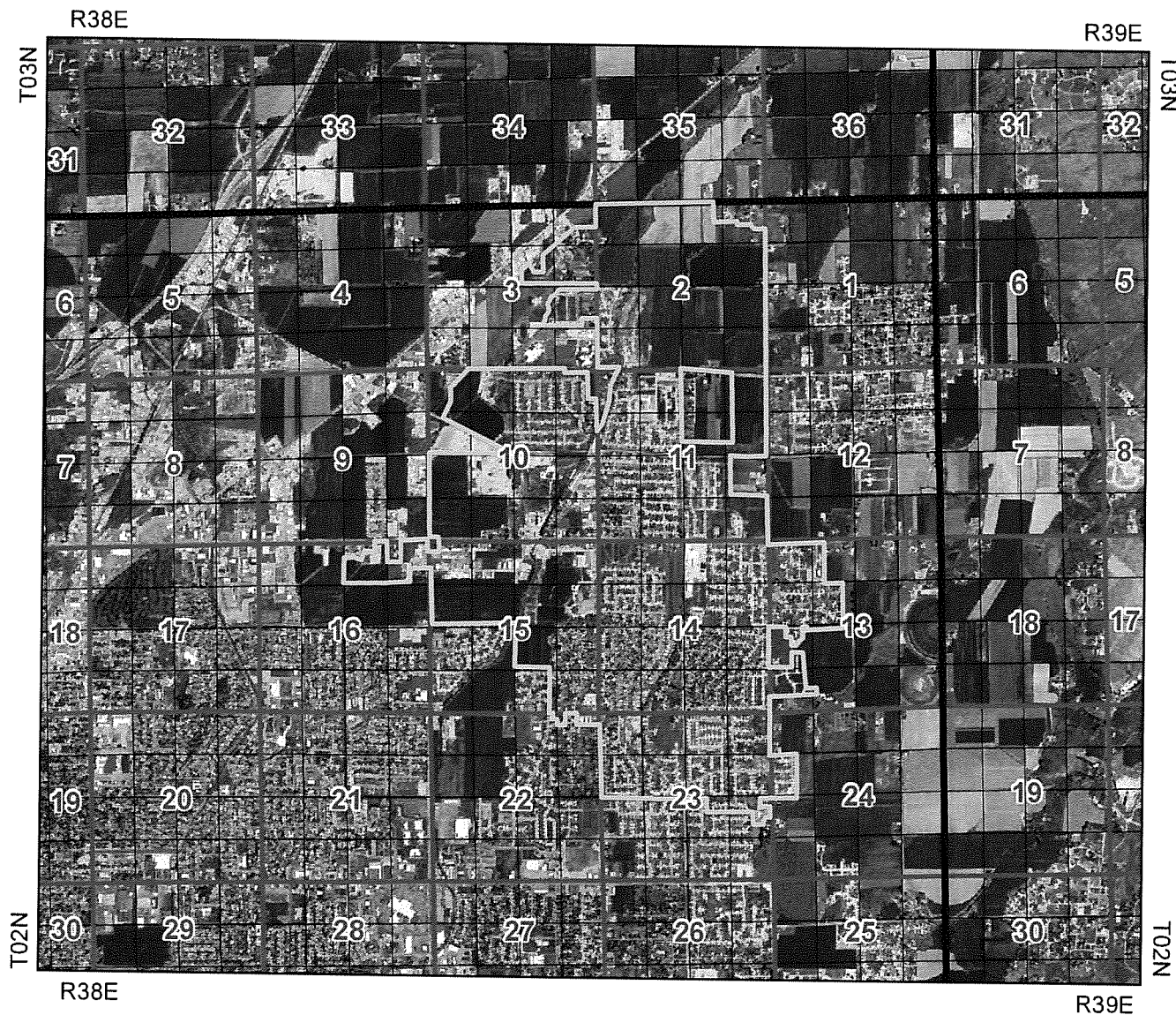


State of Idaho
Department of Water Resources

Attachment For Amendment To Water Right License

25-14114

This map depicts the MUNICIPAL 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.



-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

