

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08894

RECEIVED
APR 20 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Date of Priority: June 01, 1999

Maximum Diversion Rate:

Maximum Diversion Volume: 20.5 AF

Comes now DRY CREEK PARTNERS
C/O BILL NOVINGER
1598 E 1330 S

GOODING ID 83330 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. 37-08894, and requests that the permit be changed as follows:

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		20.5 AF
AESTHETIC STORAGE	01/01 to 12/31		20.5 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK	SE1/4NE1/4SW1/4	Sec. 3, Twp 05S, Rge 14E, B.M.
GOODING County		
DRY CREEK	SW1/4NW1/4SE1/4	Sec. 3, Twp 05S, Rge 14E, B.M.
GOODING County		

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 14E 3									X					X			

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 14E 3									X					X			

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 18 day of April, 20012

Dry Creek Partners
by: William Novinger, Gen. Part.
(Signature)

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Preliminary check by JR Fee = \$50.00 FOR DEPARTMENT USE ONLY
(See Letter 4/12/12) Received by _____ # 5027906 Date 8/11/2005

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. 37-08894 with the following:

CONDITIONS OF APPROVAL

1. 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. 37.
2. Upon specification notification the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works and a lockable device that will provide the watermaster suitable control of the diversion.
3. Right 37-865A authorizes the diversion of an annual total of 12.0 acre-feet to be used for the replacement of losses caused by evaporation from the pond authorized under Right 37-08894.
4. The water right holder shall maintain control of the necessary portion of right 37-865A for wildlife and aesthetic storage purposes under Transfer approval 72373. If the necessary portion of the wildlife and aesthetic diversion to storage right is sold, transferred, leased, used on any place of use, or are not deliverable due to a priority call, then the amount of water authorized for storage under this right shall be reduced by the same proportion of the amount reduced under the wildlife and aesthetic diversion to storage right.
5. The pond established by the storage of water under this right shall not exceed a total capacity of 20.5 acre-feet and a surface area of 4.0 acres.
6. The source from Dry Creek includes water from Black Canyon Creek which is tributary to Dry Creek and converges with Dry Creek within the boundaries of the pond.
7. 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.

Witness my hand this 31st day of May, 2012.

FOR



GARY SPACKMAN
Interim Director