

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07689

RECEIVED

MAR 16 2012

Department of Water Resources
Eastern Region**Date of Priority:** November 15, 1990

Maximum Diversion Rate: 2.25 CFS
Maximum Diversion Volume: 820.8 AF

Comes now SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E

SUGAR CITY ID 83448 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. 22-07689, 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	2.25 CFS	820.8 AF

LOCATION OF POINT(S) OF DIVERSION:

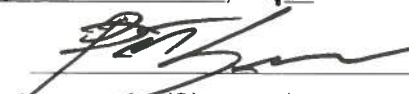
GROUND WATER	SW1/4SW1/4	Sec. 26, Twp 06N, Rge 40E, B.M.
MADISON County		
GROUND WATER	SE1/4NW1/4	Sec. 35, Twp 06N, Rge 40E, B.M.
MADISON County		

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	
06N 40E 27				10.0									27.0			27.0	64.0
06N 40E 34	28.0		.2	22.0				.2	40.0	4.2	4.4	37.0	24.0	40.0	38.0	20.0	258.0
06N 40E 35	39.0	40.0	40.0	38.0	37.0	39.0	39.0	40.0	16.0	39.0	37.0	37.0	20.0	31.0	38.0	18.0	548.0

Total Acres: 870

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 14th day of March, 2012.


(Signature)

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WATER RIGHT NO. 22-07689

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 100.00 Received by SC # E037405 Date 3/16/12

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. 22-07689 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.
3. This right is limited to the irrigation of 470 acres within the authorized place of use in a single irrigation season.
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 place of use.
5. Rights 22-2238, 22-2258B, 22-7689 and 22-11318 when combined shall not exceed a total diversion rate of 7.49 cfs, a total annual maximum diversion volume of 3045 af at the field headgate, and the irrigation of 870 acres.

Witness my hand this 28th day of March, 2012.

for 
GARY SPACKMAN
Interim Director