

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

(For Licensing Purposes)

**WATER RIGHT NO. 23-07151**

**Date of Priority:** June 24, 1991

Maximum Diversion Rate: 0.67 CFS  
Maximum Diversion Volume: 228.9 AF

Comes now ROCKIN T CONSTRUCTION  
PO BOX 4  
SWAN VALLEY ID 83449

TARA HICKS  
PO BOX 4

SWAN VALLEY ID 83449 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. 23-07151, 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            | 04/15 to 10/31       | 0.67 CFS                 | 227.5 AF             |
| STOCKWATER            | 01/01 to 12/31       | 0.03 CFS                 | 1.4 AF               |

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

GROUND WATER NE1/4NW1/4 Sec. 7, Twp 01N, Rge 44E, B.M.  
BONNEVILLE 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 |        |
| 01N 44E 7   |    |    |    |    | 31.0 | 39.0 | 37.0 | 34.0 |    |    |    |    |    |    |    |    | 141.0  |

Total Acres: 141

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 1 day of February, 2002.

  
(Signature)

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 23-07151**

\*\*\*\*\*  
FOR DEPARTMENT USE ONLY

Preliminary check by \_\_\_\_\_ Fee = 100.- Received by JB # E037288 Date 2/1/2012

**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. 23-07151 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. Stockwater use is for 100 range cattle.
3. This right is limited to the irrigation of 65 acres within the place of use described above 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 lands above.
5. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Rights 23-2065A and 23-2065B are also diverted through the point of diversion described above.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Rights 23-2065A, 23-2065B and 23-7151 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 423.2 af at the field headgate, and the irrigation of 141 acres.
9. 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.

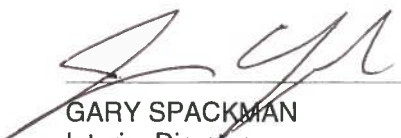
State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)

**WATER RIGHT NO. 23-07151**

10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Witness my hand this 21<sup>st</sup> day of March, 2012.

  
GARY SPACKMAN  
Interim Director