

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 11-07436

RECEIVED

FEB 23 2012

DEPARTMENT OF
WATER RESOURCES**Date of Priority:** November 25, 1996**Maximum Diversion Rate:** 0.42 CFS**Maximum Diversion Volume:** 75.6 AF

Comes now ASPEN CREEK WATER CO INC
10 SOUTH BEAR LAKE BLVD

GARDEN CITY UT 84028 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. 11-07436, 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>
MUNICIPAL	01/01 to 12/31	0.42 CFS	75.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SE1/4 Sec. 15, Twp 16S, Rge 43E, B.M.
BEAR LAKE 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 16th day of February, 2012

Amy Elliott
(Signature)

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FOR DEPARTMENT USE ONLY
Preliminary check by CP Fee = \$50 Received by 009474 # 1W Date 2/23/12
\$50 2033866 3/21/08

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. 11-07436 with the following:

CONDITIONS OF APPROVAL

1. Place of use is within the service area of Aspen Creek Water Co. Inc. as provided for under Idaho law. The place of use is generally described as located within Sections 15 and 22 of Township 16S, Range 43E B.M.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. 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.
4. The following rights are diverted through the point of diversion described above: 11-7021 and 11-7436.
5. Rights 11-7021 and 11-7436 when combined shall not exceed a total diversion rate of 0.42 cfs.
6. The irrigation occurring under this municipal use shall not exceed 1/10 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
7. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 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.

Witness my hand this 9th day of March, 2012.

Shelly H. Ken
for GARY SPACKMAN
Interim Director