

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 25-07593

Date of Priority: October 10, 1995

Maximum Diversion Rate: 0.79 CFS
Maximum Diversion Volume: 120.8 AF

Comes now MORNINGVIEW WATER CO INC
PO BOX 598

RIGBY ID 83442 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. 25-07593, 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>
DOMESTIC	01/01 to 12/31	0.33 CFS	28.8 AF
IRRIGATION	04/01 to 10/31	0.46 CFS	92.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW1/4NE1/4	Sec. 30, Twp 04N, Rge 39E, B.M.
JEFFERSON County		
GROUND WATER	NW1/4NE1/4	Sec. 30, Twp 04N, Rge 39E, B.M.
JEFFERSON County		

PLACE OF USE: DOMESTIC

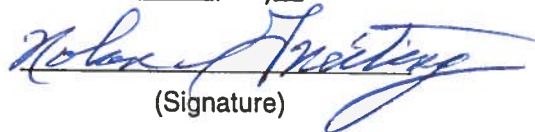
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 39E 30	X	X															

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	
04N 39E 30	9.0	14.0															23.0

Total Acres: 23

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 9 day of JAN, 2002.


(Signature)

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WATER RIGHT NO. 25-07593

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$1,100.00 Received by Blue # E039232 Date 01/09/2012

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. 25-07593 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. 120.
2. Rights 25-14199 and 25-7593 when combined shall not exceed a total diversion rate of 0.83 cfs for in-house non-consumptive purposes and 0.46 cfs and 92 afa for the irrigation of 152 lots.
3. Domestic use is for 48 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
4. Place of use is located within Morningview Subdivision.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Witness my hand this 30th day of January, 2012.


for GARY SPACKMAN
Interim Director