

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 1-07087

RECEIVED
DEC 07 2011
Department of Water Resources
Eastern Region

Date of Priority: July 01, 1985

Maximum Diversion Rate: 4.60 CFS

Maximum Diversion Volume:

Comes now COVINGTON BROS LTD
C/O JOYCE COVINGTON
221 SOUTH 3RD E
REXBURG ID 83440

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. 1-07087, and requests that the permit be changed as follows:

Source: SNAKE RIVER**Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER

L9 (NW1/4NE1/4)

Sec. 26, Twp 04N, Rge 40E, B.M.

JEFFERSON 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	
04N 40E 1			6.0					2.0	28.0	1.0	29.0	36.0	27.0	40.0	36.0	40.0	245.0
04N 40E 2																5.0	5.0
04N 40E 11	32.0			38.0									39.0				109.0
04N 40E 12	40.0	40.0	40.0	40.0	39.0	39.0	39.0	39.0	37.0	35.0		34.0	40.0	40.0	36.0	39.0	577.0
04N 40E 13		37.0	40.0		39.0	39.0		40.0									195.0
04N 41E 6									5.0	26.0	40.0	16.0					87.0
04N 41E 7					28.0	40.0	40.0	22.0		L 6	L 7						130.0
						L 1	L 2										

Total Acres: 1348

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 16 day of Dec., 2011.

Joyce J. Covington
(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by DC Fee = 100.- Received by JB # E037170 Date 12/7/2011

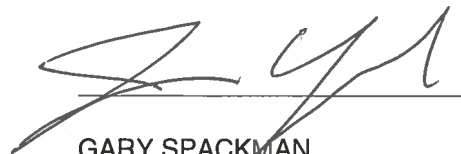
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 1-07087 with the following:

CONDITIONS OF APPROVAL

1. Rights 01-7006, 01-7087, 01-10011, 25-7106 and 25-10069 when combined shall not exceed the irrigation of 1348 acres.
2. Rights 01-7006, 01-7087 and 01-10011 when combined shall not exceed a total diversion rate of 8.69 cfs and the irrigation of 1348 acres.
3. This right is limited to the irrigation of 230 acres within the authorized place of use in a single irrigation season.
4. 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. 01.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. No water may be diverted under this right until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
8. 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.
9. 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.

Witness my hand this 19th day of December, 2011.


GARY SPACKMAN
Interim Director