

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-33136

FOR DEPARTMENT USE ONLY

Preliminary check by CP Fee = 100- Received by SBZ # CO94137 Date 10/19/2011

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. 63-33136 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. 63, Boise River.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. As mitigation for this right, the right holder shall retain ownership of shares of water in the Boise Valley Irrigation Ditch Company for the lands being removed from irrigation under Transfer 75285. Use of water represented by those shares on lands other than lands owned by the water right holder in the SE1/4NE1/4 and NE1/4SE1/4 of Section 23, T04N, R01E, is prohibited, or sale of any portion of the shares is cause for the Director of the Department of Water Resources to cancel this right.
4. Mitigation for evaporative losses from the pond under this right shall be provided by Right 63-31832 as approved by Transfer 75285.
5. Use of water under this right shall be non-consumptive.
6. The four (4) ponds established by the storage of water under this right shall not exceed a total capacity of 21.6 acre-feet or a total surface area of 4.6 acres.
7. Place of use is located within Woods #3 Subdivision.
8. The water-bearing zone is from 1 to 25 feet.
9. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
10. This right does not grant any right-of-way or easement across the land of another.
11. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Witness my hand this 26th day of October, 2011.

Shelley W. Keen
for GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
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RECEIVED

OCT 19 2011

DEPARTMENT OF
WATER RESOURCES

Date of Priority: December 09, 2008

Maximum Diversion Volume: 21.6 AF

Comes now WOODS NO. 3 OWNERS ASSN INC
C/O LAWRENCE KNIGHT
5181 N LAKEMONT LN
GARDEN CITY ID 83714

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. 63-33136, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	21.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (SE1/4NE1/4)	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		
GROUND WATER	L1 (NE1/4SE1/4)	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

PLACE OF USE: AESTHETIC STORAGE

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	01E	23				X									X				X
						L1									L1				

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 10 day of October, 2011.

Lawrence Knight - water liaison, Woods #3
(Signature)