

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-31980

RECEIVED

OCT 19 2011

DEPARTMENT OF
WATER RESOURCES

Date of Priority: August 09, 2004

Maximum Diversion Rate: 0.56 CFS

Comes now **SETTLERS IRRIGATION DISTRICT**
1910 N GARDEN ST

BOISE ID 83706 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. 63-31980, 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>
IRRIGATION	03/01 to 11/15	0.56 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4NE1/4 Sec. 28, Twp 04N, Rge 01W, B.M. ADA County

PLACE OF USE:

SEE CONDITIONS OF APPROVAL

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 18th day of October, 2011.



(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 160 Received by SRJ # 0094138 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. 63-31980 with the following:

CONDITIONS OF APPROVAL

1. Place of use is within the boundary of Settlers Irrigation District pursuant to Section 43-323, Idaho Code.
2. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. 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.
4. 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 without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1839 af at the field headgate for the 408.6 acres of land authorized for irrigation under this right.
6. This right is limited to the irrigation of 408.6 acres within the authorized place of use in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
8. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

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9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. Water is diverted into the McMullen Lateral.
12. Water bearing zone to be appropriated is from 15 to 88 feet.

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


for **GARY SPACKMAN**
Interim Director