

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 63-11831**

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FOR DEPARTMENT USE ONLY

Preliminary check by CP Fee = \$50- Received by SR7 # CO92383 Date 1/27/2011

**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. 63-11831 with the following:

**CONDITIONS OF APPROVAL**

1. 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. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right when combined with all other rights shall provide no more than a combined annual maximum diversion volume of 180 af at the field headgate for the lands above.
5. 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.
6. Water bearing zone to be appropriated is 250 to 300 feet.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.

Witness my hand this 31<sup>st</sup> day of January, 2010.

  
for **GARY SPACKMAN**  
Interim Director

RECEIVED

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DEPARTMENT OF  
WATER RESOURCES

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)

**WATER RIGHT NO. 63-11831**

**Date of Priority:** May 14, 1992

Maximum Diversion Rate: 0.80 CFS

Comes now DONNA R MC KAY  
DBA TURFCO  
3220 E LAKE HAZEL RD  
MERIDIAN ID 83642

And/Or

L DARWIN MC KAY  
DBA TURFCO  
6100 S EAGLE RD

MERIDIAN ID 83642 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. 63-11831, 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       | 0.80 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SW1/4SE1/4 Sec. 33, Twp 03N, Rge 01E, B.M. ADA County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>Totals</u> |
| 03N | 01E | 33  |           |           |           |           |           |           |           |           |           |           |           | 1.6       |           |           |           | 38.4      | 40.0          |

Total Acres: 40

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 27th day of January, 2011.

(Signature)