

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08165

Date of Priority: June 30, 1983

Maximum Diversion Rate: 1.93 CFS
Maximum Diversion Volume: 1,397.3 AF

Comes now MAGIC MFG INC
716 B E 4900 N

BUHL ID 83316 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. 37-08165, and requests that the permit be changed as follows:

Source: WHITE ARROW HOT SPRING **Tributary:** CLOVER CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC	01/01 to 12/31	1.93 CFS	1,397.3 AF
FISH PROPAGATION STORAGE	01/01 to 12/31		1.9 AF
COMMERCIAL	01/01 to 12/31	0.25 CFS	106.3 AF
IRRIGATION	03/15 to 11/15	1.93 CFS	532.0 AF
HEATING	01/01 to 12/31	0.50 CFS	68.4 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.8 AF
FISH PROPAGATION	01/01 to 12/31	1.93 CFS	1,397.3 AF
RECREATION	01/01 to 12/31	0.30 CFS	217.2 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE ARROW HOT SPRING	NW1/4SE1/4NE1/4	Sec. 30, Twp 04S, Rge 13E, B.M.
GOODING County		
WHITE ARROW HOT SPRING	NE1/4NW1/4SE1/4	Sec. 30, Twp 04S, Rge 13E, B.M.
GOODING County (Injection)		
WHITE ARROW HOT SPRING	NW1/4SW1/4SE1/4	Sec. 30, Twp 04S, Rge 13E, B.M.
GOODING County (Rediversion)		
WHITE ARROW HOT SPRING	SW1/4NW1/4NE1/4	Sec. 31, Twp 04S, Rge 13E, B.M.
GOODING County (Rediversion)		

PLACE OF USE: AESTHETIC, DOMESTIC, & RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 13E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X				

PLACE OF USE: COMMERCIAL & HEATING

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 13E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X									X				

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08165

RECEIVED

SEP 13 2010

DEPARTMENT OF
WATER RESOURCES**PLACE OF USE:** FISH PROPAGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 13E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 31		X											X				

PLACE OF USE: FISH PROPAGATION STORAGE

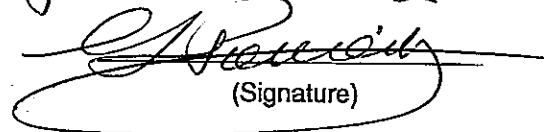
Twp Rge Sec	NE				NW				SW				SE				Totals
04S 13E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X		

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 13E 30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													24.0		35.0	27.0	86.0
04S 13E 31	24.0	23.0															47.0

Total Acres: 133

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 9-8-10 day of Sept. 8, ~~200~~ 2010


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08165

FOR DEPARTMENT USE ONLY

Preliminary check by CS Fee = \$50⁰⁰ Received by _____ # 6091671 Date 9/13/10

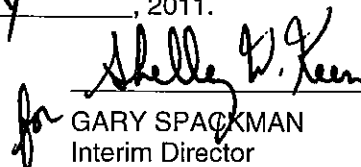
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-08165 with the following:

CONDITIONS OF APPROVAL

1. Water diverted under this right is injected into and rediverted from an unnamed stream tributary to Clover Creek. The rate and volume of water rediverted from the unnamed stream under this right shall not exceed the rate and volume of water simultaneously injected into the unnamed stream.
2. Rights 37-810, 37-811, 37-4040, 37-4041, and 37-8165 when combined shall not exceed the irrigation of 133 acres.
3. 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 lands above.
4. Rights 37-810, 37-811, 37-4040, and 37-8165 when combined shall not exceed a total diversion rate of 2.66 cfs for irrigation purposes.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Aesthetic use is for a moat.
7. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial uses authorized by this right.
8. Commercial use is for a greenhouse facility.
9. Domestic use is for 3 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
10. Fish propagation is for 6 raceways and an off-stream pond.
11. Heating is for 3 homes and a greenhouse facility.
12. Recreation use is for a pool.
13. Fish propagation storage is for an on-stream pond with a total capacity of 1.0 AF. This right authorizes the storage of 1.0 AF in the pond and 0.9 AF to replace evaporation losses from the pond.

Witness my hand this 5th day of January, 2011.


for GARY SPACKMAN
Interim Director