

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 63-12092

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50- Received by SPR # CO92032 Date 10/29/2010

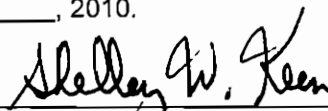
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-12092 with the following:

CONDITIONS OF APPROVAL

1. 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 determine the amount of water diverted from power records and shall annually report the information to the department.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. 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.
4. This right shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The following rights are diverted through point(s) of diversion described above: 63-12092 and 63-32043.
6. Rights 63-12092 and 63-32043 when combined shall not exceed a total diversion rate of 0.34 cfs.
7. Rights 63-170D, 63-12092, 63-32043 and 63-32345 when combined shall not exceed the irrigation of 83 acres.
8. The right holder shall mitigate the groundwater diversion authorized under this right by directing water diverted from the Boise River under existing water rights into unlined ponds and causing it to seep into the ground. The volume of water directed into the ponds for mitigation purposes shall equal or exceed the volume of groundwater diverted under this right each year. The ponds shall be modified and/or constructed and the seepage shall be quantified in accordance with the plan proposed in a letter from Scanlan Engineering dated November 10, 1999. If the proposed mitigation proves to be inadequate or cannot be maintained, the Director retains jurisdiction to require modifications to maintain sufficient recharge in order to offset diversion from the aquifer under this right. The Director retains jurisdiction to require measurement and reporting of the amount of surface water supplied to the ponds for mitigation purposes.
9. Water bearing zone to be appropriated is 157 to 172 feet.

Witness my hand this 1st day of November, 2010.


GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
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RECEIVED

OCT 29 2010

DEPARTMENT OF
WATER RESOURCES

Date of Priority: January 14, 1994

Maximum Diversion Rate: 0.34 CFS

Maximum Diversion Volume: 11.2 AF

Comes now WILSON PROPERTIES LP
1101 W RIVER ST STE 150
BOISE ID 83702

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. 63-12092, 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>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	03/15 to 11/15	0.34 CFS	
IRRIGATION STORAGE	01/01 to 12/31		11.2 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		11.2 AF

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp 04N, Rge 01W, B.M. ADA County**PLACE OF USE:** IRRIGATION 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 01W 24									X				X				

PLACE OF USE: IRRIGATION FROM 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 01W 24									39.0				34.7				73.7

Total Acres: 73.7

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 28 day of OCTOBER, 2010

Charles H. Wilson
(Signature)