

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 63-33423**

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FOR DEPARTMENT USE ONLY

Preliminary check by CLS Fee = \$50 Received by: SRF #C092033 Date: 10/29/2010

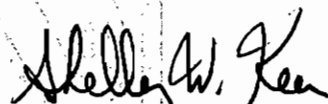
**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-33423 with the following:

**CONDITIONS OF APPROVAL**

1. Right 63-11308 is also diverted through the point(s) of diversion described above.
2. This right does not grant any right-of-way or easement across the land of another.
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. 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 1<sup>st</sup> day of November, 2010.

  
for GARY SPACKMAN  
Interim Director

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

(For Licensing Purposes)

WATER RIGHT NO. 63-33423

**RECEIVED**  
**OCT 29 2010**  
**DEPARTMENT OF**  
**WATER RESOURCES**

Date of Priority: March 09, 2009

Maximum Diversion Rate: 0.03 CFS  
Maximum Diversion Volume: 6.8 AF

Comes now GEM STATE ACADEMY  
16115 S MONTANA AVE  
CALDWELL ID 83605

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. 63-33423, 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/01 to 11/15       | 0.03 CFS                 | 6.8 AF               |

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER CANYON County SE1/4SW1/4 Sec. 10, Twp 03N, Rge 03W, B.M.

GROUND WATER CANYON County SW1/4SW1/4 Sec. 10, Twp 03N, Rge 03W, B.M.

PLACE OF USE: IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 03N | 03W | 10  | NE | NW | SW | SE | 1.5    |

Total Acres: 1.5

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 25<sup>th</sup> day of October, 2010.

*Harold R. Dixon, Jr.*  
(Signature)