



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

10/18/2010

GEM STATE ACADEMY
16115 S MONTANA AVE
CALDWELL ID 83605

RE: Water Right Permit No. 63-33423 (Split from 63-33185)

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Point(s) of Diversion**

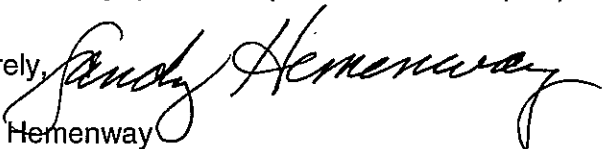
☐ **Place(s) of Use**

☐ **Other**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at (208) 287-4920.

Sincerely,


Sandy Hemenway
Sr. Water Resource Agent

Enclosure(s)

cc: Lori Graves/SPF WATER ENGINEERING LLC

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 63-33423

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
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 03W 10																	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 _____ day of _____, 2010.

(Signature)

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

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

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 _____ day of _____, 2010.

GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
Application for Amendment of License
63-33423

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

