



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 14, 2010

HENRYS FORK VILLAGE WATER CO
C/O WILLIAM B GALBRAITH MD
PO BOX 543
ISLAND PARK ID 83429

RE: Water Right Permit No. 21-07446 & 21-12857

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permits 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 permits 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**

☒ **Purpose of Use (Per request 8-18-2010)**

The enclosed Application for Amendment forms depict the elements of the water rights as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 (\$50.00 per amendment) filing fee within 14 days.

If you have any questions, please call me at (208) 287-4916.

Sincerely,

Craig L. Saxton
Water Rights Supervisor

Enclosure(s)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 21-12857

Date of Priority: June 10, 2003

Maximum Diversion Rate: 0.75 CFS
Maximum Diversion Volume: 62.4 AF

Comes now HENRYS FORK VILLAGE WATER CO
C/O WILLIAM B GALBRAITH MD
PO BOX 543

ISLAND PARK ID 83429 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. 21-12857, 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>
MUNICIPAL	01/01 to 12/31	0.75 CFS	62.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L5 (NE1/4SW1/4)	Sec. 8, Twp 12N, Rge 43E, B.M.
FREMONT County		
GROUND WATER	L9 (SW1/4SE1/4)	Sec. 8, Twp 12N, Rge 43E, B.M.
FREMONT County		
GROUND WATER	L9 (SW1/4SE1/4)	Sec. 8, Twp 12N, Rge 43E, B.M.
FREMONT County		

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	43E	8																	
											X								L 5
															X				L 8
																X			L 9

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. 21-12857

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. 21-12857 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 use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. Points of diversion are located within Lot 62, Blk. 3 and Lot 15, Blk. 1, Robbins Subdivision.
4. Place of use is within the area served by the public water supply system of Henrys Fork Village Water Co. The place of use is generally located within Section 8, T12N, R43E.
5. The irrigation occurring under this municipal use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.

Witness my hand this _____ day of _____, 2010.

GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
21-7446 & 21-12857

This map depicts the MUNICIPAL 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
- Water Service Area Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles

