

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11698

RECEIVED

MAR 29 2010

DEPARTMENT OF
WATER RESOURCES

Date of Priority: March 06, 1992

Maximum Diversion Rate: 2.70 CFS

Comes now DILLER MILLER LAND COMPANY LLC
ATTN STEPHEN J MILLER
451 E GLENDALE AVE
PHOENIX AZ 85020

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. 63-11698, and requests that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

RATE OF DIVERSION

2.70 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

SE 1/4 SW 1/4

Sec. 10, Twp 04N, Rge 05W, B.M.

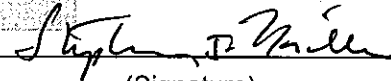
CANYON County

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	
04N 05W 10								38.0				37.0					75.0
04N 05W 11													0.6	16.0	37.0	6.4	60.0

Total Acres: 135

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 25th day of March, 2010.



(Signature)

managing Representative

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-11698

FOR DEPARTMENT USE ONLY
Preliminary check by SWK Fee = \$50- Received by SR7 # C090360 Date 3-29-2010

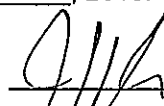
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-11698 with the following:

CONDITIONS OF APPROVAL

1. 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.
2. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 608 af at the field headgate for the lands above.
4. Water bearing zone to be appropriated is 100 to 600 feet.
5. The right holder shall make full beneficial use of all surface water rights, including 63-2397, available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. Right Nos. 63-2397 and 63-11698 are limited to the irrigation of a combined total of 215 acres in a single irrigation season.
7. Right Nos. 63-11698 and 63-12329 are limited to a total combined diversion rate of 4.24 cfs.
8. Right Nos. 63-2397 and 63-11698 are limited to a total combined diversion rate of 4.3 cfs and to a total combined annual diversion volume of 968 AF.
9. Rights 63-2397, 63-11698 and 63-12329 when combined shall not exceed a total diversion rate of 5.8 cfs, a total annual maximum diversion volume of 1305 af at the field headgate, and the irrigation of 290 acres.

Witness my hand this 5th day of April, 2010.


For GARY SPACKMAN
Interim Director