

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 34-07239A

RECEIVED

FEB 23 2010

DEPARTMENT OF
WATER RESOURCES

Date of Priority: January 22, 1980

Maximum Diversion Rate: 2.12 CFS

Comes now JOHN L POWERS
PO BOX 493
MACKAY ID 83251

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. 34-07239A, 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>
IRRIGATION	04/01 to 10/31	2.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

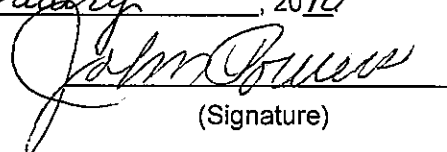
GROUND WATER NE1/4SW1/4 Sec. 21, Twp 07N, Rge 24E, B.M. CUSTER County

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	
07N 24E 21									18.0			25.0	6.0	17.0	7.0		73.0
07N 24E 22										2.0							2.0
07N 24E 27			25.0		11.0	36.0	36.0	39.0	2.0								149.0
07N 24E 28	39.0	19.0		17.0													75.0

Total Acres: 299

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 12th day of February, 2010


(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$50- Received by SRF # C090062 Date 2.23.2010

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. 34-07239A with the following:

CONDITIONS OF APPROVAL

1. Rights 34-440B and 34-7239A when combined shall not exceed a total annual maximum diversion volume of 1078 af at the field headgate and the irrigation of 308 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall make full beneficial use of all surface water rights 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.
4. 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.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Witness my hand this 15th day of March, 2010.


For GARY SPACKMAN
Interim Director