

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 45-13402

RECEIVED
DEC 29 2009
DEPARTMENT OF
WATER RESOURCES

Date of Priority: March 22, 2001

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 5.8 AF

Comes now US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318 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. 45-13402, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

Tributary: BIRCH CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 10/31	0.02 CFS	5.4 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SW1/4SE1/4SW1/4 Sec. 28, Twp 16S, Rge 22E, B.M. CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 21E 24												X					
16S 22E 19			X			X	L 1				X	L 4					
16S 22E 20					X				X								
16S 22E 29		X															

PLACE OF USE: WILDLIFE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 21E 24												X					
16S 22E 19			X			X	L 1				X	L 4					
16S 22E 20					X				X								
16S 22E 29		X															

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 23rd day of December, 2009.

Steven R Davis, Hydrologist
(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$50- Receipted by SR? # CO89781 Date 12/29/2009

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. 45-13402 with the following:

CONDITIONS OF APPROVAL

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
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. Rights 45-13402 and 45-14234 when combined shall not exceed a total annual diversion volume of 11.2 AF.

Witness my hand this 25th day of January, 2009.


for GARY SPACKMAN
Interim Director

Idaho Department of Water Resources Receipt

Receipt ID: C089781

Payment Amount \$50.00 Date Received 12/29/2009 9:51 AM Region STATE

Payment Type Check Check Number 1001

Payer Bureau of Land Management / Vanbuskirk, Shanin

Comments Water Right #45-13402

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	AMENDMENTS	56105	0229	21		1155

SR7

Signature Line (Department Representative)