

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 25-13979

Priority: May 17, 2002

Maximum Diversion Rate: 0.90 CFS

This is to certify, that SUNNYSIDE PARK UTILITIES INC
C/O DOYLE BECK
PO BOX 1768
IDAHO FALLS ID 83403-1768

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.90 CFS	
COMMERCIAL	01/01 to 12/31	0.90 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE¼NW¼	Sec. 36	Twp 02N	Rge 37E, B.M.	BONNEVILLE County
GROUND WATER	NE¼NW¼	Sec. 36	Twp 02N	Rge 37E, B.M.	BONNEVILLE County

PLACE OF USE: INDUSTRIAL and COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	37E	36																	

CONDITIONS OF APPROVAL

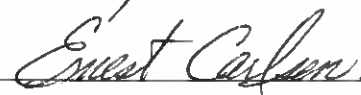
1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2010**.
2. Subject to all prior water rights.
3. Place of use is located within Lots 1-10, Blk. 1; Lot 1-5, Blk. 2; Lots 1-7, Blk. 3; Lots 1-8, Blk. 4; Sunnyside Industrial & Professional Park, and one adjacent parcel.
4. Industrial use on the parcel adjacent to Sunnyside Industrial & Professional Park is for a gravel washing and cement mixing operation.
5. This right is limited to a total annual maximum diversion volume of 29.0 af.
6. The quantity of water under this right shall no exceed 2500 gallons per day per lot within each of the 30 lots in Sunnyside Industrial & Professional Park.
7. Point(s) of diversion is located within Lot 5, Blk. 2, Sunnyside Industrial & Professional Park.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. Prior to diversion of more than 0.04 cfs and 2500 gallons per day of water under this right for the gravel washing and cement mixing operation, the right holder shall implement a plan to mitigate for the consumption of water, subject to the approval of the department, as follows:
 - A. The right holder shall determine the maximum annual volume of water that will be consumed in the gravel washing and cement mixing operation, including the amount of water that will evaporate from the settling pond, and shall submit the volume and the method of determination to the department.
 - B. The right holder shall provide the department with documentation showing that the right holder owns, leases, rents or had otherwise acquired water rights equivalent to the volume of water that will be consumed in the gravel washing and cement mixing operation.
 - C. The right holder shall submit to the department a written plan providing for the use of water represented by the water rights described in item B, above, to mitigate the consumption of water diverted under this right.
 - D. The right holder assumes all responsibility for the implementation of the mitigation plan.
 - E. If the right holder cannot continue to implement its mitigation plan for any reason, the right holder shall cease diverting more than 0.04 cfs and 2500 gallons per day for gravel washing and cement mixing under this right or shall implement an alternative mitigation plan that has been reviewed and approved by the department.
14. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28 day of September, 2009.


for GARY SPACKMAN, Interim Director