

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07878

WA
RECEIVED
JUN 8 2009
DEPARTMENT OF
WATER RESOURCES

Date of Priority: October 17, 1991

Maximum Diversion Rate: 40.00 CFS
Maximum Diversion Volume: 870.0 AF

Comes now LITTLE WEISER IRRIGATION DIST
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

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. 67-07878, and requests that the permit be changed as follows:

Source: LITTLE WEISER RIVER

Tributary: WEISER RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		870.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		870.0 AF
DIVERSION TO STORAGE	04/15 to 05/30	40.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE WEISER RIVER ADAMS County SE1/4NW1/4 Sec. 36, Twp 14N, Rge 01W, B.M.

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 26										X	X						
14N 01W 27	X	X	X	X			X	X	X		X	X	X	X	X	X	
14N 01W 34	X	X			X	X											
14N 01W 35					X	X											

PLACE OF USE: IRRIGATION FROM STORAGE (see conditions of approval).

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 5th day of June, 2009.

J Wayne Burkhardt
Little Weiser Irrigation Dist.
(Signature)

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WATER RIGHT NO. 67-07878

FOR DEPARTMENT USE ONLY

Preliminary check by SLK Fee = \$50.00 Received by: SRF # C088746 Date: 5/29/2009

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, DAVID R. TUTHILL, JR., of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 67-07878 with the following:

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. Place of use for irrigation from storage is within the boundary of the Little Weiser Irrigation District pursuant to Section 43-323, Idaho Code.
3. The boundary encompassing the place of use for irrigation from storage for this water right is described with a digital boundary authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the irrigation from storage place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67A.
5. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right is limited to the irrigation of 6041.5 acres within the place of use described above in a single irrigation season.
8. Rights 67-7878 and 67-2385 when combined shall not exceed the irrigation of 6041.5 acres.
9. Right 67-2385 is also diverted through the point(s) of diversion described above.
10. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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Witness my hand this 10th day of June, 2009.

for 

DAVID R. TUTHILL, JR.
Director

