

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-31598

RECEIVED**MAY 14 2009****DEPARTMENT OF
WATER RESOURCES****Date of Priority:** October 29, 2002**Maximum Diversion Rate:** 0.20 CFS

Comes now CITY OF NAMPA
411 3RD ST S

NAMPA ID 83651 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. 63-31598, 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	03/01 to 11/15	0.20 CFS

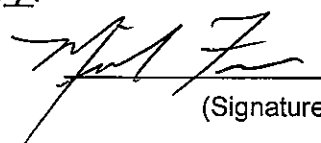
LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, Twp 03N, Rge 02W, B.M. CANYON County**PLACE OF USE:** IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 02W 8			2.6	1.0									17.0	4.1	3.1	3.1	30.9

Total Acres: 30.9

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 8 day of May, 2009.


(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50- Received by SR7 # C088655 Date 5-14-2009

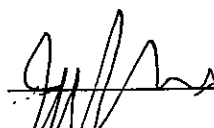
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, DAVID R. TUTHILL, JR., of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-31598 with the following:

CONDITIONS OF APPROVAL

1. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
2. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor contribute more than 103.1 af toward a combined annual maximum diversion volume of 135 af at the field headgate for the lands above.
4. 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.
5. 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.
6. 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.

Witness my hand this 19th day of May, 2009.


for DAVID R. TUTHILL, JR.
Director