

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-08171

RECEIVED

APR 06 2009

DEPARTMENT OF
WATER RESOURCES**Date of Priority:** November 30, 2000**Maximum Diversion Rate:** 3.21 CFS

Comes now CITY OF AMERICAN FALLS

550 N OREGON TL

AMERICAN FALLS ID 83211 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. 29-08171, and requests that the permit be changed as follows:

Source: GROUND WATER**BENEFICIAL USE**

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

3.21 CFS

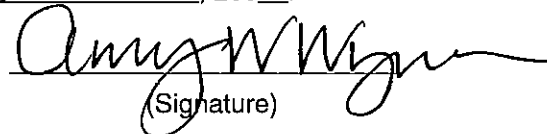
LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 21, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 29, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 32, Twp 07S, Rge 31E, B.M.	POWER County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 08S, Rge 31E, B.M.	POWER County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 08S, Rge 31E, B.M.	POWER County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 08S, Rge 31E, B.M.	POWER County

PLACE OF USE: MUNICIPAL

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 16th day of March, 2009.


(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50 - Received by SRJ # 0088419 Date 4-6-2009

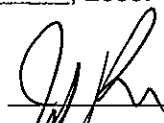
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, DAVID R. TUTHILL, JR., of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-08171 with the following:

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. Place of use is within the service area of the City of American Falls municipal water supply system as provided for under Idaho Law.
3. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
4. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
7. 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.
8. 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.
9. 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.

Witness my hand this 22nd day of April, 2009.

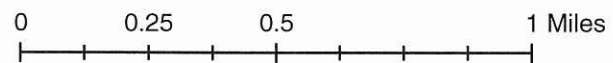
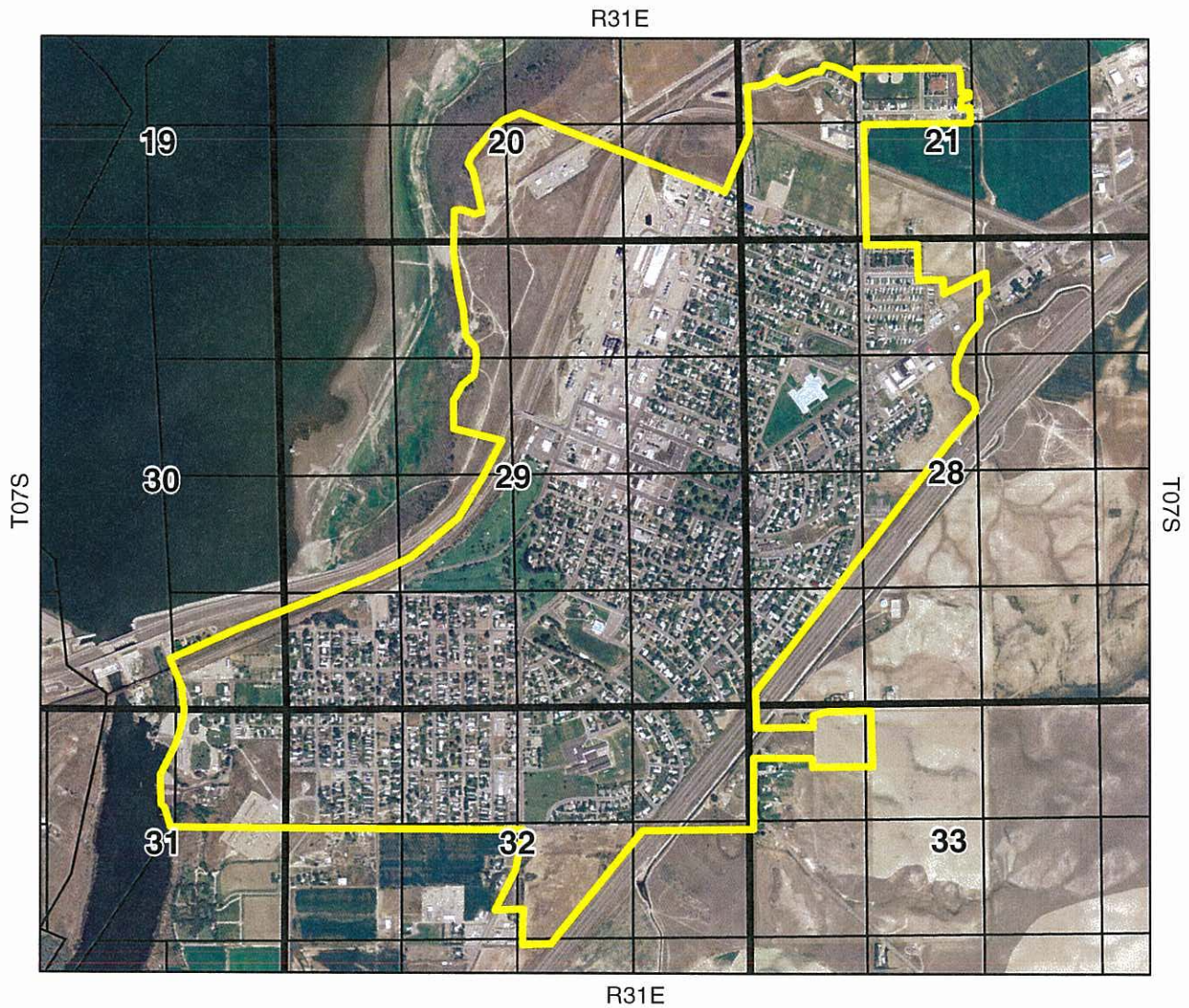

for DAVID R. TUTHILL, JR.
Director

State of Idaho
Department of Water Resources
Water Right License

29-8171

Water Service Area Boundary for City Of American Falls

April 9, 2009



Legend

-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

