

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Fee 50
Receipt E034628
Received by SC
Date 12-1-08

APPLICATION FOR AMENDMENT OF A PERMIT

75292

Name of Applicant D & C PROPERTIES LLC Phone (208) 356-5491 / 356-5553 (Fax)
Mailing address 342 W 4th N, Rexburg, ID 83440 Email wrm@ida.net
c/o Keith C. Wilson Rocky Mountain Environmental Associates, Inc. Email kwilson@rockymountainenvironmental.com
482 Constitution Way, Ste 303, Idaho Falls ID 83402 (208) 524-2353 Fax (208) 524-1795

I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-13826, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: ☐ Change point of diversion ☒ Add point of diversion
☐ Change place of use ☐ Change nature of use ☐ Change period of use ☐ Other

1. Point of diversion: SE ¼ NE ¼ SE ¼, Section 30, Township 05N, Range 46E, B.M.,

County of TETON. Other points of diversion NE¼SW¼ Sec 30, T05N, R46E (New)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.78 cfs for Industrial purposes from 04/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per year) (Water Use) (Begin Month) (End Month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (Water Use) (Begin Month) (End Month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (Water Use) (Begin Month) (End Month)

3. Place of use or land to be irrigated:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5N	46E	30									1								

Total number of acres to be irrigated _____

4. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

RECEIVED

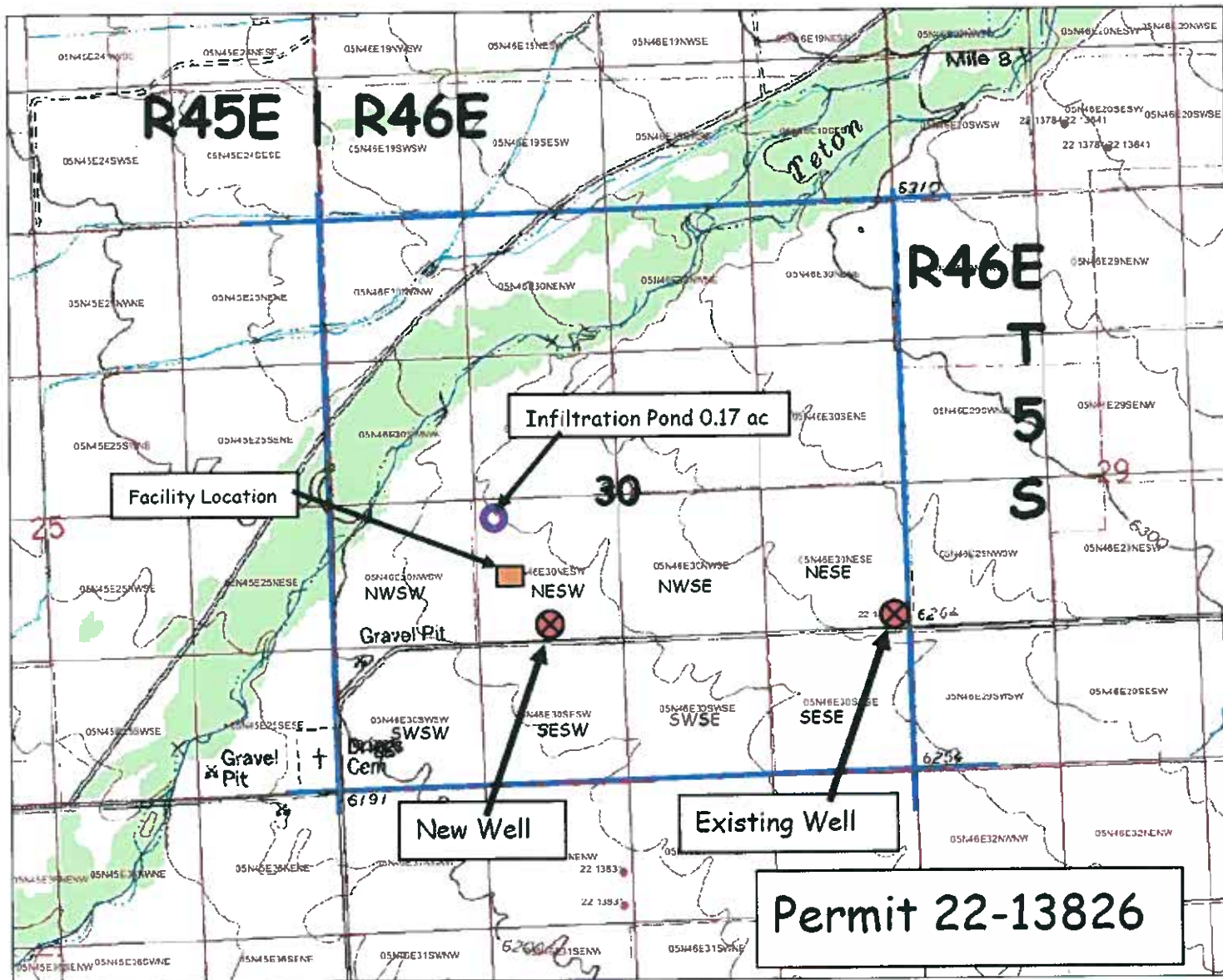
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Department of Water Resources
Eastern Region



22-13826

Complete the following map by showing land and point of diversion as proposed by this amendment.
 Show ¼ ¼, section, township, range and ditches. (The smallest subdivision represents 40 acres.)



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 24 day of NOVEMBER, 20 08. David J. Walters Member Manager
 Permit Holder Signature (and title, if for a company or organization)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by _____ Date _____
 Published in _____ Publication dates _____
 I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 20 _____.

SIGNATURE





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 22, 2008

D & C PROPERTIES LLC
342 W 4TH N
REXBURG ID 83440

RE: Application to Amend Permit No 22-13826

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Teton Valley News on December 30 and January 8, 2008. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION
December 22, 2008

C. L. "BUTCH" OTTER
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Director

Legal Notice Department
TETON VALLEY NEWS
80 E LITTLE AVE
DRIGGS ID 83422

RE: Application to Amend Permit No. 22-13826

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before January 20, 2009. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

The following application has been filed to amend Permit to Appropriate Water
22-13826

D & C PROPERTIES LLC
342 W 4TH N
REXBURG ID 83440

Point(s) of Diversion: NESW S30 T05N R46E and SENESE S30 T05N R46E, TETON County
Source GROUND WATER

Use: INDUSTRIAL 04/01 To 10/31 0.78 CFS

Total Diversion: 0.78 CFS

Date Filed: 11/25/2008

Place Of Use: INDUSTRIAL

T05N R46E S30 NESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 20, 2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on December 30 and January 8, 2008