

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07507

RECEIVED

SEP 23 2008

DEPARTMENT OF
WATER RESOURCES

Date of Priority: June 28, 1985

Maximum Diversion Rate: 3.14 CFS
Maximum Diversion Volume: 549.5 AF

Comes now RICHARD F SMITH
PO BOX 8

REXBURG ID 83440 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. 22-07507, 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>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.14 CFS	549.5 AF

LOCATION OF POINT(S) OF DIVERSION:

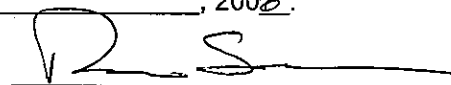
GROUND WATER	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, Twp 06N, Rge 40E, B.M.	MADISON County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp 06N, Rge 40E, B.M.	MADISON County

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	
06N 40E 32	38.0			40.0									40.0			39.0	157.0

Total Acres: 157.0

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 19 day of SEPT, 2008.



(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Receipted by CM # C087552 Date 9/23/08

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. 22-07507 with the following:

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. The following rights are diverted through point(s) of diversion described above: 22-2230, 22-7075, and 22-7507.
3. Rights 22-2184, 22-2230, 22-7075, and 22-7507 when combined shall not exceed a total diversion rate of 10.85 cfs.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. 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.

Witness my hand this 1st day of October, 2008.


for DAVID R. TUTHILL, JR.
Director