

WA
State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-20801

RECEIVED**MAY 23 2008****DEPARTMENT OF
WATER RESOURCES****Date of Priority:** September 11, 2002**Maximum Diversion Rate:** 0.32 CFS

Comes now MAGIC WEST SIDE WATER USERS INC
C/O WARREN MERRILL
1016 4TH AVE DRIVE
JEROME ID 83338

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. 37-20801, 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>
MUNICIPAL	01/01 to 12/31	0.32 CFS

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, Twp 02S, Rge 17E, B.M.

BLAINE County

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, Twp 02S, Rge 17E, B.M.

BLAINE County

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 22nd day of May, 2008.

Warren H. Merrill
(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by CN # C086961 Date 5/23/08

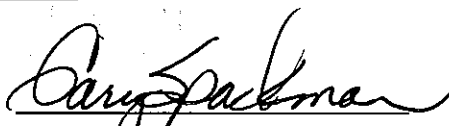
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, DAVID R. TUTHILL, JR., of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-20801 with the following:

CONDITIONS OF APPROVAL

1. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
2. 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.
3. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. 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.
5. Use of water under this right shall be non-consumptive.

Witness my hand this 3rd day of September, 2008.


DAVID R. TUTHILL, JR.
Director