

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 57-11630

Priority: July 15, 2003

Maximum Diversion Rate: 0.68 CFS

This is to certify, that J & M CATTLE INC
12971 BAILEY RD
MELBA ID 83641

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.66 CFS
COMMERCIAL	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER OWYHEE County L9 (NW1/4NE1/4)	Sec. 24, Twp 01S, Rge 03W, B.M.
GROUND WATER OWYHEE County L9 (NW1/4NE1/4)	Sec. 24, Twp 01S, Rge 03W, B.M.
GROUND WATER OWYHEE County L1 (NE1/4NE1/4)	Sec. 24, Twp 01S, Rge 03W, B.M.

PLACE OF USE: STOCKWATER & COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 03W 24	X	X															
	L1	L9															

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Stockwater use is for 3,000 dairy heifers.
6. Commercial use is for feedlot cleanup purposes.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

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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. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 29th day of June, 20 07.


for DAVID R. TUTHILL, JR., Director