

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 11-07436

Priority: November 25, 1996

Maximum Diversion Rate: 1.50 CFS

This is to certify, that ASPEN CREEK WATER CO INC
10 SOUTH BEAR LAKE BLVD
GARDEN CITY UT 84028

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>
DOMESTIC	1/01 to 12/31	1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SW¼ Sec. 15, Twp 16S, Rge 43E, B.M. BEAR LAKE County
GROUND WATER NE¼NW¼ Sec. 22, Twp 16S, Rge 43E, B.M. BEAR LAKE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 43E 15			X				X		X	X	X	X		X	X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 1, 2008**.
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. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Places of use are located within Lots 1-64 of Phases 1-6 and Lots 1-40 of Phase 7, Aspen Creek Subdivision.
7. Domestic use is for 105 homes.
8. The right holder shall use the full allotment of appurtenant surface water irrigation rights in conjunction with ground water diverted under this right for irrigation purposes.

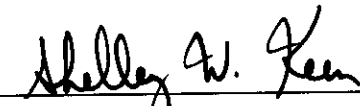
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CONDITIONS OF APPROVAL CONTINUED

9. This right shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
10. The irrigation occurring from ground water under this domestic right shall not exceed 1/10 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.

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 4th day of May, 2006.


FOR KARL J DREHER, Director