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DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 25-07652

Date of Priority: December 11, 1996

Maximum Diversion Rate: 1.33 CFS

Maximum Diversion Volume: 105.6 AF

Comes now COMORE DEVELOPMENT INC
3920 E SUNNYSIDE RD

IDAHO FALLS ID 83406 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. 25-07652, 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>
DOMESTIC	01/01 to 12/31	1.33 CFS	105.6 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 1, Twp 01N, Rge 38E, B.M., BONNEVILLE County
GROUND WATER	L1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	Sec. 1, Twp 01N, Rge 38E, B.M., BONNEVILLE County
GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 1, Twp 01N, Rge 38E, B.M., BONNEVILLE County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 1, Twp 01N, Rge 38E, B.M., BONNEVILLE County
GROUND WATER	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 12, Twp 01N, Rge 38E, B.M., BONNEVILLE 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	
01N 38E 1			X	X									X	X			
01N 38E 12	X	X	X	X	X		X	X	X	X				X			

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 22 day of December, 2005

(Signature & Title)

V. President

State of Idaho
Department of Water Resources
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FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee = \$50.00 Received by CM # 0079883 Date 12-20-05

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 25-07652 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 88 homes.
2. Places of use are located within Lots 10-14, 22-27, Blk. 4; Lots 15-19, Blk. 8; Lots 7-21, Blk. 10; Lots 1-9, 34-45, Blk. 11; Lots 1-23, 27-34, 36, Blk. 12; Comore Loma Subdivision.
3. Point of diversion located within Lot 1 (NENE), S01 is known locally as Well #2. Point of diversion located in NWNE, S12 is known locally as Well #5. Points of diversion located in NESE, S01 are known locally as Well #1 and Well #4. Point of diversion located in NWSE, S01 is known locally as Well #3. All wells are located within Twp. 1N, Rge. 38E, B.M.
4. Rights 25-7040, 25-7042, 25-7161, and 25-7578 are also diverted through the points of diversion described above.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. 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.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater for irrigation use under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. This domestic right shall not be used for irrigation if the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use.
9. 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.
10. 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 17th day of January, 2006.


for **KARL J. DREHER**
Director