



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 6, 2003

JOSEPHINE BEEMAN
BEEMAN & ASSOCIATES PC
409 W JEFFERSON ST
BOISE ID 83702-6049

RE: Water Right Permit 37-8720 – Faulkner Land & Livestock Co., Inc.

Dear Jo:

I previously forwarded to you an Application for Amendment so that you could amend the permit referenced above to depict this water right as it has actually been developed.

As of this date, I have not received the amendment. If I do not receive the amendment (or the alternative response that we discussed a couple of weeks ago) within 30 days, a Water Right License will be issued with a different place of use than could have been allowed. In case the amendment form I sent you have been misplaced, a new one is enclosed. Please note that the filing fee of \$50.00 has already been paid.

If you have any questions regarding this matter, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 37-08720

Date of Priority: April 23, 1991

Maximum Diversion Rate: 3.20 CFS

Comes now FAULKNER LAND & LIVESTOCK CO INC
1989 S 1875 E
GOODING ID 83330 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. 37-08720, 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>
IRRIGATION	03/15 to 11/15	3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4SE1/4SW1/4 Sec. 31, Twp 06S, Rge 15E, B.M.
GOODING 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	
06S 15E 31		18.0	26.0		20.0			30.0	21.0		26.0	35.0	12.0	24.0	38.0	37.0	287.0
07S 15E 4							1.0				L 4						1.0
07S 15E 5	22.0	10.0			4.0												36.0
	L 1	L 2			L 3												

Total Acres: 324

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 _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08720

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

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. 37-08720 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Rights 37-08005B, 37-08005D, 37-08702, and 37-08812 are also diverted through the point of diversion described above.
3. Rights 37-08005B, 37-08812 and 37-08720 when combined shall not exceed the irrigation of 324 acres.
4. Rights 37-08005B, 37-08005D, 37-08702, 37-08812 and 37-08720 when combined shall not exceed a total diversion rate of 7.09 cfs.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1296.0 af at the field headgate for the lands above.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Witness my hand this _____ day of _____, 2003.

KARL J. DREHER
Director