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DEPARTMENT OF
WATER RESOURCES

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State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 65-22377

Date of Priority: April 11, 2001

Maximum Diversion Rate: 0.70 CFS

Maximum Diversion Volume: 157.5 AF

Comes now REX E LANHAM

2630 HWY 21

BOISE ID 83716 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. 65-22377, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

Tributary: PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.70 CFS	157.5 AF

LOCATION OF POINT(S) OF DIVERSION:

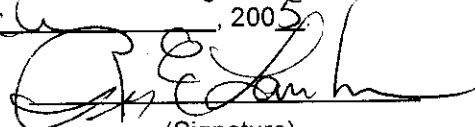
UNNAMED STREAM L3 (SE¼ NW¼) Sec. 11, Twp 06N, Rge 02W, B.M. GEM County

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	
06N 02W 11			5.0		8.5			21.5									35.0
			L 2					L 3									

Total Acres: 35

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 14 day of March, 2005.


(Signature)

State of Idaho
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FOR DEPARTMENT USE ONLY

Preliminary check by M Fee = \$ 50.00 Received by M # C077193 Date 3-18-05

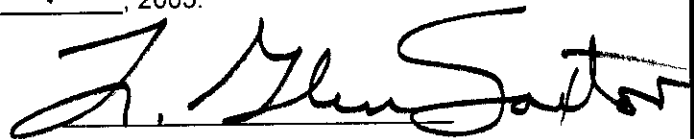
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-22377 with the following:

CONDITIONS OF APPROVAL

1. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. Upon specific notification by the Department or the Water District, the right holder shall install a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 21st day of March, 2005.


for **KARL J. DREHER**
Director