

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07676

RECEIVED
APR 23 2004
Department of Water Resources

Date of Priority: August 20, 1990

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume:

Comes now **BRANDI SUTTON**
733 W 8200 S
REXBURG ID 83440

And/Or

SUSAN SUTTON
733 W 8200 S
REXBURG ID 83440

And/Or

SHANE SUTTON
733 W 8200 S
REXBURG ID 83440

And/Or

RICK SUTTON
733 W 8200 S
REXBURG ID 83440

And/Or

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

And/Or

JOLENE SUTTON
1295 E 10000 S

REXBURG ID 83440 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. 22-07676, 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>
IRRIGATION	04/01 to 10/31	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER
MADISON County

SE1/4SE1/4

Sec. 9, Twp 04N, Rge 40E, B.M.

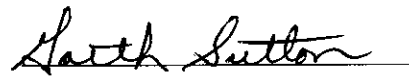
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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 40E 9													17.0	40.0	30.0	37.0	124.0
04N 40E 10		2.0	2.0		11.0		20.0	38.0	40.0	37.0	24.0	40.0		32.0	26.0		272.0
04N 40E 15					14.0	7.0											21.0

Total Acres: 417

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 20th day of April, 2004.


(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by DC Fee = 50. Received by DC # E029746 Date 4/20/2004

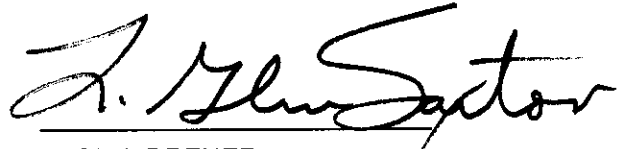
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 22-07676 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 102 acres within the place of use described above in a single irrigation season.
2. Right 22-7711 is also diverted through the point of diversion described above.
3. Rights 22-7676 and 22-7711 when combined shall not exceed a total diversion rate of 6.66 cfs, and the irrigation of 379 acres.
4. 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 1460.0 af at the field headgate for the lands above.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. 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.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. 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.
9. 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. 01.

Witness my hand this 29th day of April, 2004.


for **KARL J. DREHER**
Director