

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 45-13411

Priority: October 22, 2001

Maximum Diversion Rate: 7.80 CFS

This is to certify, that CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

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>
MUNICIPAL	01/01 to 12/31	7.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW¼SE¼SE¼ Sec. 17, Twp 10S, Rge 23E, B.M.	CASSIA County
GROUND WATER	SW¼SE¼ Sec. 20, Twp 10S, Rge 23E, B.M.	CASSIA County
GROUND WATER	SE¼NE¼ Sec. 30, Twp 10S, Rge 23E, B.M.	CASSIA County
GROUND WATER	NE¼NW¼ Sec. 17, Twp 10S, Rge 23E, B.M.	MINIDOKA County
GROUND WATER	SE¼NE¼ Sec. 32, Twp 10S, Rge 23E, B.M.	CASSIA County
GROUND WATER	SW¼NW¼ Sec. 33, Twp 10S, Rge 23E, B.M.	CASSIA County
GROUND WATER	NW¼NW¼SW¼ Sec. 21, Twp 10S, Rge 23E, B.M.	CASSIA County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2006**.
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. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
8. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

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CONDITIONS OF APPROVAL CONTINUED

10. The right holder shall not assign or sell the permit without first securing the written approval of the Department of Water Resources.
11. Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law.

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 26th day of November, 2004.


for KARL J DREHER, Director