

04/18/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-73D

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 4.000 CFS

PRIORITY DATE: 11/05/1895

POINT OF DIVERSION:

T08N R42E S4 NENE Within FREMONT County
T08N R42E S21 NESE Within FREMONT County
T09N R42E S13 SWNW Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	4.000 CFS

PLACE OF USE:

30657.3 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Water is delivered through North Fremont Canal Systems.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-73D

WATER RIGHT NUMBER: 21-73D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORTH FREMONT CANAL SYSTEMS INC C/O LON ATCHLEY PO BOX 241 ASHTON, ID 83420 (208)652-3332
Original Owner	FARMERS OWN CANAL CO , ID

Priority Date: 11/05/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FALL RIVER	HENRYS FORK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

FALL RIVER	NW1/4NE1/4	Sec. 25, Twp 09N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NE1/4SE1/4	Sec. 23, Twp 09N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NW1/4NW1/4	Sec. 35, Twp 09N, Rge 44E, B.M.
FREMONT County		
FALL RIVER	NE1/4SE1/4	Sec. 21, Twp 08N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NE1/4SE1/4	Sec. 35, Twp 09N, Rge 43E, B.M.
FREMONT County		
FALL RIVER	NW1/4SW1/4	Sec. 33, Twp 09N, Rge 45E, B.M.
FREMONT County		
FALL RIVER	NE1/4NE1/4	Sec. 4, Twp 08N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	SE1/4SE1/4	Sec. 22, Twp 08N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	SW1/4NW1/4	Sec. 13, Twp 09N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NW1/4NE1/4	Sec. 23, Twp 09N, Rge 42E, B.M.
FREMONT County		

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Adjudication Claim Report 21-73D

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	
08N	42E	1	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	37.0	39.0	39.0	40.0	40.0	40.0	36.0	628.0
08N	42E	2	31.0	34.0	40.0	39.0	13.0	38.0	15.0	39.0	39.0	37.0	40.0	40.0	40.0	39.0	40.0	38.0	562.0
08N	42E	3	38.0	39.0	40.0	40.0	25.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	35.0	30.0	32.0	29.0	580.0
08N	42E	4	37.0	39.0	40.0	40.0			38.0	39.0	40.0	40.0	39.0	40.0	39.0	40.0	39.0	39.0	549.0
08N	42E	5			25.0	25.0				10.0	40.0			30.0	40.0	40.0	40.0	40.0	290.0
08N	42E	6								22.0		13.0	40.0	38.0	33.0	40.0	40.0		226.0
08N	42E	7	40.0	40.0			40.0	27.0	40.0										187.0
08N	42E	8	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	15.0	5.0	15.0	393.0
08N	42E	9	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	30.0	30.0	615.0
08N	42E	10	38.0	34.0	40.0	40.0	30.0	40.0	40.0	35.0	40.0	10.0	30.0	40.0	40.0	40.0	40.0	40.0	577.0
08N	42E	11	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	637.0
08N	42E	12	39.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	34.0	39.0	39.0	622.0
08N	42E	13	40.0	40.0	40.0	36.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	20.0		574.0
08N	42E	14	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	630.0
08N	42E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	37.0	634.0
08N	42E	16			10.0	35.0				25.0				40.0	40.0	38.0	40.0	25.0	253.0
08N	42E	20				40.0									40.0			20.0	100.0
08N	42E	21		40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0	5.0	40.0	35.0	40.0			440.0

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08N 42E 22	25.0	30.0			30.0	30.0	20.0	20.0											155.0
08N 42E 23	40.0	40.0	13.0	13.0	20.0	8.0													134.0
08N 42E 24					10.0	30.0	13.0												53.0
08N 43E 3	4.0	32.0	5.0		40.0	40.0	37.0	39.0		21.0	19.0								237.0
08N 43E 4	38.0	40.0	25.0	17.0	40.0	39.0	40.0	36.0	30.0	20.0				35.0	25.0	33.0			418.0
08N 43E 5	38.0	38.0	38.0	39.0	40.0	40.0	38.0	40.0	40.0	38.0	38.0	40.0	37.0	38.0	37.0				579.0
08N 43E 6	39.0	34.0	40.0	37.0	40.0	38.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0		627.0
08N 43E 7	40.0	40.0	40.0	40.0	32.0	36.0	30.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	34.0	11.0			582.0
08N 43E 8		35.0			40.0	40.0	40.0	5.0		15.0									175.0
08N 43E 9	40.0	40.0	40.0	40.0									35.0						195.0
08N 43E 10						31.0	38.0												69.0
08N 43E 18		10.0	28.0		40.0	40.0		16.0	8.0	10.0									152.0
09N 42E 13			20.0				35.0	32.0	39.0	36.0	40.0	40.0	16.0	40.0					298.0
09N 42E 14				10.0									37.0	4.0	20.0	40.0			111.0
09N 42E 22	30.0	30.0	40.0	39.0	5.0			39.0	39.0		25.0	40.0	37.0	40.0	40.0	35.0			439.0
09N 42E 23	38.0	36.0	25.0	29.0	7.0	22.0	40.0	40.0	40.0	30.0	20.0	20.0	10.0	20.0	40.0	25.0			442.0
09N 42E 24	40.0	40.0	38.0	40.0	40.0	36.0	36.0	40.0	30.0	25.0	34.0		16.0	40.0		40.0			495.0
09N 42E 25			30.0	10.0		38.0	26.0			10.0			5.0			40.0			159.0
09N 42E 26	33.0	33.0	38.0	38.0	40.0	17.0	20.0	40.0	40.0	17.0	35.0	39.0	27.0	38.0	37.0	38.0			530.0
09N 42E 27	40.0	20.0	30.0	35.0	35.0	15.0			40.0	35.0	35.0	39.0	33.0	39.0	39.0	37.0			472.0
09N 42E 28													1.0		7.0	28.0			36.0

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09N 42E 32																		4.0	4.0
09N 42E 33	40.0	30.0	30.0	40.0					35.0	15.0	38.0	35.0	40.0	36.0	39.0	39.0			417.0
09N 42E 34	28.0	38.0	40.0	40.0	40.0	30.0	37.0	38.0	40.0	37.0	37.0	37.0	40.0	40.0		39.0			561.0
09N 42E 35	28.0	38.0	40.0	32.0	40.0	35.0							39.0	14.0	36.0	38.0			340.0
09N 42E 36	31.0		40.0	40.0			36.0	36.0	34.0	36.0	40.0	37.0	34.0	39.0	36.0	34.0			473.0
09N 43E 13		30.0	30.0					20.0	40.0	40.0	40.0	40.0		20.0	20.0				280.0
09N 43E 14								13.0					16.0			18.0			47.0
09N 43E 18									3.0	17.0	40.0								60.0
09N 43E 19		35.0	27.0	16.0	40.0	40.0	39.0	40.0	40.0	38.0	39.0	39.0	38.0	30.0	40.0	40.0			541.0
09N 43E 20			25.0	35.0			20.0	25.0	40.0	40.0	36.0	40.0	39.0	40.0	40.0	40.0			420.0
09N 43E 21		3.0	37.0	21.0	2.0		32.0	37.0	40.0	39.0	38.0	40.0	37.0	40.0	40.0	40.0			446.0
09N 43E 22	25.0		39.0	40.0			35.0	39.0	39.0	35.0	39.0	37.0	40.0	40.0	39.0	38.0			485.0
09N 43E 23	38.0	38.0	38.0	39.0	38.0	38.0	38.0	40.0	40.0	39.0	38.0	35.0	40.0	39.0	38.0	39.0			615.0
09N 43E 24	40.0	35.0	34.0	33.0	35.0	39.0	40.0	35.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0			605.0
09N 43E 25	28.0	40.0	39.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	35.0	40.0	39.0	40.0	40.0	36.0			611.0
09N 43E 26	40.0	35.0	40.0	39.0	36.0	38.0	36.0	40.0	39.0	38.0	36.0	35.0	36.0	40.0	35.0	25.0			588.0
09N 43E 27	38.0	39.0	39.0	39.0	33.0	39.0	38.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	37.0			614.0
09N 43E 28	39.0	40.0	36.0	36.0	40.0	40.0	35.0	39.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0			624.0
09N 43E 29	39.0	40.0	40.0	38.0	40.0	40.0	40.0	40.0	40.0	39.0	31.0	40.0	39.0	40.0	40.0	35.0			621.0
09N 43E 30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	26.0	38.0	40.0	40.0	40.0	40.0			622.0
09N 43E 31	35.0	39.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	38.0	40.0			627.0

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09N 43E 32	40.0	39.0	33.0	40.0	40.0	25.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	38.0	36.0	606.0
09N 43E 33	38.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	39.0	34.0	37.0	38.0	38.0	39.0	37.0	616.0
09N 43E 34	40.0	38.0	38.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	36.0	38.0	20.0	14.0	38.0	25.0	563.0
09N 43E 35	37.0	36.0	40.0	40.0	39.0	40.0	36.0	30.0	25.0	26.0	20.0	33.0		15.0			417.0
09N 43E 36	38.0	40.0	38.0	33.0	37.0	40.0	40.0	38.0									304.0
09N 44E 17						16.0		36.0	40.0	39.0	36.0	27.0	30.0	37.0	38.0		299.0
09N 44E 18		8.0	14.0					38.0	36.0	39.0	39.0	34.0	38.0	39.0	38.0		323.0
09N 44E 19		33.0	32.0		38.0	36.0	39.0	39.0	39.0	36.0	35.0	39.0	37.0	38.0	38.0		518.0
09N 44E 20					35.0	38.0	38.0	39.0	40.0	40.0	34.0	33.0	35.0	35.0	33.0	35.0	435.0
09N 44E 21		40.0	38.0			38.0	38.0	40.0	39.0	37.0	40.0	40.0	40.0	38.0	38.0		466.0
09N 44E 22		40.0				25.0	35.0	35.0	20.0		35.0	37.0					227.0
09N 44E 27					19.0	39.0	39.0	12.0	22.0	23.0	5.0	18.0		33.0	21.0	10.0	241.0
09N 44E 28	32.0	38.0	40.0	32.0	38.0	38.0	40.0	39.0	35.0	35.0	40.0	40.0	36.0	37.0	38.0	33.0	591.0
09N 44E 29	34.0	39.0	40.0	40.0	38.0	38.0	39.0	38.0	35.0	38.0	39.0	33.0	40.0	40.0	33.0	34.0	598.0
09N 44E 30	39.0	38.0	40.0	39.0	36.0	39.0	39.0	39.0	39.0	37.0	39.0	40.0	37.0	40.0	39.0	39.0	619.0
09N 44E 31	35.0	40.0	22.0	5.0	39.0	38.0	28.0	36.0									243.0
09N 44E 32						17.0											17.0

Total Acres: 31539

Conditions of Approval:

1. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-73D

1. General
TRANS. 1881 SPLIT RIGHT INTO 21-0073A & 21-0073B.
The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.
The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points. The total instantaneous diversion of water from all points of diversion under Transfer No. 4014 shall not exceed 521.38 cfs, nor total combined annual volume of 110,386.5 afa.
A measuring device and lockable controlling works of a type approved by this Department shall be maintained on each diverting works in a manner that will provide the watermaster suitable control of the diversions and will allow determination of the total rate of diversion.
Combined Right Nos. 21-00048, 21-00049, 21-00050, 21-00073B, 21-00073D, 21-00073F, 21-00073J, 21-00075, 21-00114D and 21-00140 are limited to the total combined irrigation of 31,539.0 acres in a single irrigation season.
Right No. 21-00073B is limited to the irrigation of 240 acres in the place of use described above in a single irrigation season. Two points of diversion are located within NESE, S35, T09N, R43E.
*THIS CLAIM WAS AMENDED TO REFLECT TRANSFER #4014 2-7-96 GJT.
**ORIGINALLY THE CANAL COMPANY FILED FOR A TOTAL OF 8.00 CFS UNDER 00073B. BECAUSE T. #4014 SPLIT THE DIVERSION RATE IN HALF BETWEEN 00073B AND 00073D WE FELT THAT IT WOULD BE BETTER TO DO THE SAME, THEREBY KEEPING THE NUMBERS CONSISTENT.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 21-73D

WATER RIGHT NUMBER: 21-73D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARYSVILLE CANAL & IMPROVEMENT CO LTD
	ASHTON, ID 83420
Current Owner	NORTH FREMONT CANAL SYSTEMS INC
	C/O LON ATCHLEY
	PO BOX 241
	ASHTON, ID 83420
	(208)652-3332

Priority Date: 11/05/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FALL RIVER	HENRYS FORK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	4.000 CFS	840.00 AF
	<u>Total Diversion:</u>	4.000 CFS	840.00 AF

Location of Point(s) of Diversion

FALL RIVER	NW1/4SW1/4	Sec. 33, Twp 09N, Rge 45E, B.M.
FREMONT County		
FALL RIVER	SW1/4NW1/4	Sec. 13, Twp 09N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NW1/4NW1/4	Sec. 35, Twp 09N, Rge 44E, B.M.
FREMONT County		
FALL RIVER	NW1/4NE1/4	Sec. 23, Twp 09N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NE1/4NE1/4	Sec. 4, Twp 08N, Rge 42E, B.M.
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FALL RIVER	NE1/4SE1/4	Sec. 35, Twp 09N, Rge 43E, B.M.
FREMONT County		
FALL RIVER	SE1/4SE1/4	Sec. 22, Twp 08N, Rge 42E, B.M.
FREMONT County		
FALL RIVER	NE1/4SE1/4	Sec. 23, Twp 09N, Rge 42E, B.M.
FREMONT County		

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Water Right Report 21-73D

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	
08N	42E	1	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	37.0	39.0	39.0	40.0	40.0	40.0	36.0	628.0
08N	42E	2	31.0	34.0	40.0	39.0	13.0	38.0	15.0	39.0	39.0	37.0	40.0	40.0	40.0	39.0	40.0	38.0	562.0
08N	42E	3	38.0	39.0	40.0	40.0	25.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	35.0	30.0	32.0	29.0	580.0
08N	42E	4	37.0	39.0	40.0	40.0			38.0	39.0	40.0	40.0	39.0	40.0	39.0	40.0	39.0	39.0	549.0
08N	42E	5			25.0	25.0				10.0	40.0			30.0	40.0	40.0	40.0	40.0	290.0
08N	42E	6									22.0		13.0	40.0	38.0	33.0	40.0	40.0	226.0
08N	42E	7	40.0	40.0			40.0	27.0	40.0										187.0
08N	42E	8	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	15.0	5.0	15.0	393.0
08N	42E	9	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	30.0	30.0	615.0
08N	42E	10	38.0	34.0	40.0	40.0	30.0	40.0	40.0	35.0	40.0	10.0	30.0	40.0	40.0	40.0	40.0	40.0	577.0
08N	42E	11	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	637.0
08N	42E	12	39.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	34.0	39.0	39.0	622.0
08N	42E	13	40.0	40.0	40.0	36.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	20.0		574.0
08N	42E	14	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	630.0
08N	42E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	37.0	634.0
08N	42E	16			10.0	35.0					25.0			40.0	40.0	38.0	40.0	25.0	253.0
08N	42E	20				40.0									40.0			20.0	100.0
08N	42E	21		40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0	5.0	40.0	35.0	40.0			440.0

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08N 42E 22	25.0	30.0			30.0	30.0	20.0	20.0											155.0
08N 42E 23	40.0	40.0	13.0	13.0	20.0	8.0													134.0
08N 42E 24					10.0	30.0	13.0												53.0
08N 43E 3	4.0	32.0	5.0		40.0	40.0	37.0	39.0		21.0	19.0								237.0
08N 43E 4	38.0	40.0	25.0	17.0	40.0	39.0	40.0	36.0	30.0	20.0				35.0	25.0	33.0			418.0
08N 43E 5	38.0	38.0	38.0	39.0	40.0	40.0	38.0	40.0	40.0	38.0	38.0	40.0	37.0	38.0	37.0				579.0
08N 43E 6	39.0	34.0	40.0	37.0	40.0	38.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0			627.0
08N 43E 7	40.0	40.0	40.0	40.0	32.0	36.0	30.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	34.0	11.0			582.0
08N 43E 8		35.0			40.0	40.0	40.0	5.0		15.0									175.0
08N 43E 9	40.0	40.0	40.0	40.0									35.0						195.0
08N 43E 10						31.0	38.0												69.0
08N 43E 18		10.0	28.0		40.0	40.0		16.0	8.0	10.0									152.0
09N 42E 13			20.0				35.0	32.0	39.0	36.0	40.0	40.0	16.0	40.0					298.0
09N 42E 14				10.0									37.0	4.0	20.0	40.0			111.0
09N 42E 22	30.0	30.0	40.0	39.0	5.0			39.0	39.0		25.0	40.0	37.0	40.0	40.0	35.0			439.0
09N 42E 23	38.0	36.0	25.0	29.0	7.0	22.0	40.0	40.0	40.0	30.0	20.0	20.0	10.0	20.0	40.0	25.0			442.0
09N 42E 24	40.0	40.0	38.0	40.0	40.0	36.0	36.0	40.0	30.0	25.0	34.0		16.0	40.0		40.0			495.0
09N 42E 25			30.0	10.0		38.0	26.0			10.0			5.0			40.0			159.0
09N 42E 26	33.0	33.0	38.0	38.0	40.0	17.0	20.0	40.0	40.0	17.0	35.0	39.0	27.0	38.0	37.0	38.0			530.0
09N 42E 27	40.0	20.0	30.0	35.0	35.0	15.0			40.0	35.0	35.0	39.0	33.0	39.0	39.0	37.0			472.0
09N 42E 28													1.0		7.0	28.0			36.0

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09N 42E 32																		4.0	4.0
09N 42E 33	40.0	30.0	30.0	40.0					35.0	15.0	38.0	35.0	40.0	36.0	39.0	39.0			417.0
09N 42E 34	28.0	38.0	40.0	40.0	40.0	30.0	37.0	38.0	40.0	37.0	37.0	37.0	40.0	40.0		39.0			561.0
09N 42E 35	28.0	38.0	40.0	32.0	40.0	35.0							39.0	14.0	36.0	38.0			340.0
09N 42E 36	31.0		40.0	40.0			36.0	36.0	34.0	36.0	40.0	37.0	34.0	39.0	36.0	34.0			473.0
09N 43E 13		30.0	30.0					20.0	40.0	40.0	40.0	40.0		20.0	20.0				280.0
09N 43E 14								13.0					16.0			18.0			47.0
09N 43E 18									3.0	17.0	40.0								60.0
09N 43E 19		35.0	27.0	16.0	40.0	40.0	39.0	40.0	40.0	38.0	39.0	39.0	38.0	30.0	40.0	40.0			541.0
09N 43E 20			25.0	35.0			20.0	25.0	40.0	40.0	36.0	40.0	39.0	40.0	40.0	40.0			420.0
09N 43E 21		3.0	37.0	21.0	2.0		32.0	37.0	40.0	39.0	38.0	40.0	37.0	40.0	40.0	40.0			446.0
09N 43E 22	25.0		39.0	40.0			35.0	39.0	39.0	35.0	39.0	37.0	40.0	40.0	39.0	38.0			485.0
09N 43E 23	38.0	38.0	38.0	39.0	38.0	38.0	38.0	40.0	40.0	39.0	38.0	35.0	40.0	39.0	38.0	39.0			615.0
09N 43E 24	40.0	35.0	34.0	33.0	35.0	39.0	40.0	35.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0			605.0
09N 43E 25	28.0	40.0	39.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	35.0	40.0	39.0	40.0	40.0	36.0			611.0
09N 43E 26	40.0	35.0	40.0	39.0	36.0	38.0	36.0	40.0	39.0	38.0	36.0	35.0	36.0	40.0	35.0	25.0			588.0
09N 43E 27	38.0	39.0	39.0	39.0	33.0	39.0	38.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	37.0			614.0
09N 43E 28	39.0	40.0	36.0	36.0	40.0	40.0	35.0	39.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0			624.0
09N 43E 29	39.0	40.0	40.0	38.0	40.0	40.0	40.0	40.0	40.0	39.0	31.0	40.0	39.0	40.0	40.0	35.0			621.0
09N 43E 30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	26.0	38.0	40.0	40.0	40.0	40.0			622.0
09N 43E 31	35.0	39.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	38.0	40.0			627.0

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09N 43E 32	40.0	39.0	33.0	40.0	40.0	25.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	38.0	36.0	606.0
09N 43E 33	38.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	39.0	34.0	37.0	38.0	38.0	39.0	37.0	616.0
09N 43E 34	40.0	38.0	38.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	36.0	38.0	20.0	14.0	38.0	25.0	563.0
09N 43E 35	37.0	36.0	40.0	40.0	39.0	40.0	36.0	30.0	25.0	26.0	20.0	33.0		15.0			417.0
09N 43E 36	38.0	40.0	38.0	33.0	37.0	40.0	40.0	38.0									304.0
09N 44E 17						16.0		36.0	40.0	39.0	36.0	27.0	30.0	37.0	38.0		299.0
09N 44E 18		8.0	14.0					38.0	36.0	39.0	39.0	34.0	38.0	39.0	38.0		323.0
09N 44E 19		33.0	32.0		38.0	36.0	39.0	39.0	39.0	36.0	35.0	39.0	37.0	38.0	38.0		518.0
09N 44E 20					35.0	38.0	38.0	39.0	40.0	40.0	34.0	33.0	35.0	35.0	33.0	35.0	435.0
09N 44E 21		40.0	38.0			38.0	38.0	40.0	39.0	37.0	40.0	40.0	40.0	38.0	38.0		466.0
09N 44E 22		40.0				25.0	35.0	35.0	20.0		35.0	37.0					227.0
09N 44E 27					19.0	39.0	39.0	12.0	22.0	23.0	5.0	18.0		33.0	21.0	10.0	241.0
09N 44E 28	32.0	38.0	40.0	32.0	38.0	38.0	40.0	39.0	35.0	35.0	40.0	40.0	36.0	37.0	38.0	33.0	591.0
09N 44E 29	34.0	39.0	40.0	40.0	38.0	38.0	39.0	38.0	35.0	38.0	39.0	33.0	40.0	40.0	33.0	34.0	598.0
09N 44E 30	39.0	38.0	40.0	39.0	36.0	39.0	39.0	39.0	39.0	37.0	39.0	40.0	37.0	40.0	39.0	39.0	619.0
09N 44E 31	35.0	40.0	22.0	5.0	39.0	38.0	28.0	36.0									243.0
09N 44E 32						17.0											17.0

Total Acres: 31539

Conditions of Approval:

1. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

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3. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
4. T04 Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.
The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points. The total instantaneous diversion of water from all points of diversion under Transfer No. 4014 shall not exceed 521.38 cfs, nor total combined annual volume of 110,386.5 afa.
A measuring device and lockable controlling works of a type approved by this Department shall be maintained on each diverting works in a manner that will provide the watermaster suitable control of the diversions and will allow determination of the total rate of diversion.
Combined Right Nos. 21-00048, 21-00049, 21-00050, 21-00073B, 21-00073D, 21-00073F, 21-00073J, 21-00075, 21-00114D and 21-00140 are limited to the total combined irrigation of 31,539.0 acres in a single irrigation season.
Right No. 21-00073D is limited to irrigation of 240 acres in the place of use described above in a single irrigation season.
Two points of diversion are located within NESE, S35, T09N, R43E.

Comments:

1. SCURTIS 6/22/1995 TRANSFER NO. 4014

Comment: Trans. #4014 was filed to consolidate water rights of Marysville, Farmers Own and Yellowstone Canals under the corporation of North Fremont Canal Systems Inc.